

119TH CONGRESS
1ST SESSION

H. R. 471

To expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on Tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 16, 2025

Mr. WESTERMAN (for himself, Mr. PETERS, Mr. TIFFANY, Mr. PANETTA, Mr. STAUBER, Mr. WHITESIDES, Mr. COLLINS, Mr. VASQUEZ, Mrs. KIM, Mr. COSTA, Mr. ZINKE, Mr. HARDER of California, Mr. JOHNSON of South Dakota, Mr. BERA, Mrs. KIGGANS of Virginia, Mr. GARAMENDI, Ms. MALOY, Mr. THOMPSON of California, Mr. BEGICH, Mr. CORREA, Mr. CRANK, Mr. GOLDEN of Maine, Mr. EZELL, Mr. MULLIN, Mr. HURD of Colorado, Ms. LEE of Nevada, Mr. VALADAO, Mr. GRAY, Mr. BARR, Mr. HOYER, Mr. CARTER of Georgia, Ms. PETERSEN, Mr. JOYCE of Pennsylvania, Mr. OBERNOLTE, Mr. WALBERG, Mr. LAMALFA, Mr. GOSAR, Ms. BOEBERT, Mr. MCCLINTOCK, Mr. ISSA, Mr. FONG, Ms. HAGEMAN, Mr. FRY, and Mr. AMODEI of Nevada) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management,

and on Tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

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

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

Sec. 101. Designation of fireshed management areas.
 Sec. 102. Fireshed 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 the treatment of certain revenue and payments under
 good neighbor agreements.
 Sec. 112. Fixing stewardship end result contracting.
 Sec. 113. Intra-agency 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.

Subtitle C—Litigation Reform

Sec. 121. Commonsense litigation reform.
 Sec. 122. Consultation on forest plans.

TITLE II—PROTECTING COMMUNITIES IN THE WILDLAND-URBAN
 INTERFACE

Sec. 201. Community wildfire risk reduction program.

- Sec. 202. Community wildfire defense research program.
- Sec. 203. Vegetation management, facility inspection, and operation and maintenance relating to electric transmission and distribution facility rights-of-way.
- Sec. 204. Categorical exclusion for electric utility lines rights-of-way.
- Sec. 205. Seeds of success.
- Sec. 206. Program to support priority reforestation and restoration projects of Department of the Interior.
- Sec. 207. Fire department repayment.

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. Forest Service Western headquarters study.
- Sec. 306. Keeping forest plans current and monitored.
- Sec. 307. Container Aerial Firefighting System (CAFFS).
- Sec. 308. 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. Authorities.

TITLE IV—ENSURING CASUALTY ASSISTANCE FOR OUR FIREFIGHTERS

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

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **DIRECTOR.**—The term “Director” means
4 the Director of the Fireshed Center appointed under
5 section 102.

6 (2) **FIRESHED.**—The term “fireshed” means a
7 landscape-scale area that faces similar wildfire

1 threat where a response strategy could influence the
2 wildfire outcome.

3 (3) FIRESHED MANAGEMENT PROJECT.—The
4 term “fireshed management project” means a
5 project under section 106.

6 (4) FIRESHED REGISTRY.—The term “Fireshed
7 Registry” means the fireshed registry established
8 under section 103.

9 (5) FOREST PLAN.—The term “forest plan”
10 means—

11 (A) a land use plan prepared by the Bu-
12 reau of Land Management for public lands pur-
13 suant to section 202 of the Federal Land Policy
14 and Management Act of 1976 (43 U.S.C.
15 1712);

16 (B) a land and resource management plan
17 prepared by the Forest Service for a unit of the
18 National Forest System pursuant to section 6
19 of the Forest and Rangeland Renewable Re-
20 sources Planning Act of 1974 (16 U.S.C.
21 1604); or

22 (C) a forest management plan (as defined
23 in section 304 of the National Indian Forests
24 Resources Management Act (25 U.S.C. 3104))
25 with respect to Indian forest land or rangeland.

1 (6) GOVERNOR.—The term “Governor” means
2 the Governor or any other appropriate executive offi-
3 cial of an affected State or Indian Tribe or the Com-
4 monwealth of Puerto Rico.

5 (7) HAZARDOUS FUELS MANAGEMENT ACTIVI-
6 TIES.—The term “hazardous fuels management ac-
7 tivities” means any vegetation management activities
8 (or combination thereof) that reduce the risk of
9 wildfire, including mechanical thinning, mastication,
10 prescribed burning, cultural burning (as determined
11 by the applicable Indian Tribe), timber harvest, and
12 grazing.

13 (8) HFRA TERMS.—The terms “at-risk com-
14 munity”, “community wildfire protection plan”, and
15 “wildland-urban interface” have the meanings given
16 such terms, respectively, in section 101 of the
17 Healthy Forests Restoration Act of 2003 (16 U.S.C.
18 6511).

19 (9) INDIAN FOREST LAND OR RANGELAND.—
20 The term “Indian forest land or rangeland” means
21 land that—

22 (A) is held in trust by, or with a restriction
23 against alienation by, the United States for an
24 Indian Tribe or a member of an Indian Tribe;
25 and

1 (B)(i)(I) is Indian forest land (as defined
2 in section 304 of the National Indian Forest
3 Resources Management Act (25 U.S.C. 3103));
4 or

5 (II) has a cover of grasses,
6 brush, or any similar vegetation; or

7 (ii) formerly had a forest cover or veg-
8 etative cover that is capable of restoration.

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

13 (11) NATIONAL FOREST SYSTEM LANDS.—The
14 term “National Forest System lands” has the mean-
15 ing given the term in section 11(a) of the Forest
16 and Rangeland Renewable Resources Planning Act
17 of 1974 (16 U.S.C. 1609).

18 (12) PUBLIC LANDS.—The term “public lands”
19 has the meaning given that term in section 103 of
20 the Federal Land Policy and Management Act of
21 1976 (43 U.S.C. 1702), except that the term in-
22 cludes Coos Bay Wagon Road Grant lands and Or-
23 egon and California Railroad Grant lands.

1 (13) RELEVANT CONGRESSIONAL COMMIT-
2 TEES.—The term “relevant Congressional Commit-
3 tees” means—

4 (A) the Committees on Natural Resources
5 and Agriculture of the House of Representa-
6 tives; and

7 (B) the Committees on Energy and Nat-
8 ural Resources and Agriculture, Nutrition, and
9 Forestry of the Senate.

10 (14) RESPONSIBLE OFFICIAL.—The term “re-
11 sponsible official” means an employee of the Depart-
12 ment of the Interior or Forest Service who has the
13 authority to make and implement a decision on a
14 proposed action.

15 (15) SECRETARIES.—The term “Secretaries”
16 means each of—

17 (A) the Secretary of the Interior; and

18 (B) the Secretary of Agriculture.

19 (16) SECRETARY.—The term “Secretary”
20 means the Secretary of Agriculture.

21 (17) SECRETARY CONCERNED.—The term
22 “Secretary concerned” means—

23 (A) the Secretary of Agriculture, with re-
24 spect to National Forest System lands; and

1 (B) the Secretary of the Interior, with re-
2 spect to public lands.

3 (18) SPECIAL DISTRICT.—The term “special
4 district” means a political subdivision of a State
5 that—

6 (A) has significant budgetary autonomy or
7 control;

8 (B) was created by or pursuant to the laws
9 of the State for the purpose of performing a
10 limited and specific governmental or proprietary
11 function; and

12 (C) is distinct from any other local govern-
13 ment unit within the State.

14 (19) STATE.—The term “State” means each of
15 the several States, the District of Columbia, and
16 each territory of the United States.

17 **TITLE I—LANDSCAPE-SCALE**
18 **RESTORATION**

19 **Subtitle A—Addressing Emergency**
20 **Wildfire Risks in High Priority**
21 **Fresheds**

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

24 (a) DESIGNATION OF FIRESHED MANAGEMENT
25 AREAS.—

1 (1) INITIAL DESIGNATIONS.—For the period be-
2 ginning on the date of enactment of this Act and
3 ending on the date that is 5 years after the date of
4 enactment of this Act, there are designated fireshed
5 management areas, which—

6 (A) shall be comprised of individual land-
7 scape-scale firesheds identified as being a high
8 risk fireshed in the “Wildfire Crisis Strategy”
9 published by the Forest Service in January
10 2022;

11 (B) shall be comprised of individual land-
12 scape-scale firesheds identified by the Secretary,
13 in consultation with the Secretary of the Inte-
14 rior, as being in the top 20 percent of the 7,688
15 firesheds published by the Rocky Mountain Re-
16 search Station of the Forest Service in 2019 for
17 wildfire exposure based on the following cri-
18 teria—

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

22 (ii) wildfire exposure and cor-
23 responding risk to municipal watersheds,
24 including tribal water supplies and sys-
25 tems; and

1 (iii) risk of forest conversion due to
2 wildfire;

3 (C) shall not overlap with any other
4 fireshed management areas;

5 (D) may contain Federal and non-Federal
6 land, including Indian forest lands or range-
7 lands; and

8 (E) where the Secretary concerned shall
9 carry out fireshed management projects.

10 (2) FURTHER FIRESHED MANAGEMENT AREA
11 DESIGNATIONS.—

12 (A) IN GENERAL.—On the date that is 5
13 years after the date of the enactment of this
14 Act and every 5 years thereafter, the Secretary,
15 in consultation with the Secretary of the Inte-
16 rior, shall submit to the relevant Congressional
17 Committees an updated map of firesheds based
18 on the Fireshed Registry maintained under sec-
19 tion 103.

20 (B) DESIGNATION.—Not later than 60
21 days after submitting an updated fireshed map
22 under subparagraph (A), the Secretary shall,
23 based on such map, designate additional
24 fireshed management areas that are identified
25 as being in the top 20 percent of firesheds at

1 risk of wildfire exposure based on the criteria
2 specified in subparagraphs (B), (C), (D), and
3 (E) of paragraph (1).

4 (b) **APPLICABILITY OF NEPA.**—The designation of
5 fireshed management areas under this section shall not
6 be subject to the requirements of the National Environ-
7 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

8 **SEC. 102. FIRESHED CENTER.**

9 (a) **ESTABLISHMENT.**—

10 (1) **IN GENERAL.**—The Secretary, acting
11 through the Chief of the Forest Service, and the
12 Secretary of the Interior, acting through the Direc-
13 tor of the U.S. Geological Survey, shall jointly estab-
14 lish an interagency center, to be known as the
15 Fireshed Center (hereinafter referred to as the
16 “Center”) to carry out the purposes in subsection
17 (b).

18 (2) **COMPOSITION.**—

19 (A) **DIVISIONS.**—The Center shall be com-
20 prised of the following divisions:

21 (i) Technology and Engineering.

22 (ii) Data Services.

23 (iii) Analysis and Prediction.

24 (iv) Education and Consultation.

- 1 (B) REPRESENTATIVES.—The Center shall
2 be comprised of at least one career representa-
3 tive from each of the following:
- 4 (i) The Forest Service.
 - 5 (ii) The Bureau of Land Manage-
6 ment.
 - 7 (iii) The National Park Service.
 - 8 (iv) The Bureau of Indian Affairs.
 - 9 (v) The U.S. Fish and Wildlife Serv-
10 ice.
 - 11 (vi) The U.S. Geological Survey.
 - 12 (vii) The Department of Defense.
 - 13 (viii) The Department of Homeland
14 Security.
 - 15 (ix) The Department of Energy.
 - 16 (x) The Federal Emergency Manage-
17 ment Agency.
 - 18 (xi) The National Science Foundation.
 - 19 (xii) The National Oceanic and At-
20 mospheric Administration.
 - 21 (xiii) The National Aeronautics and
22 Space Administration.
 - 23 (xiv) The National Institute of Stand-
24 ards and Technology.

1 (xv) The United States Fire Adminis-
2 tration.

3 (C) APPOINTMENTS.—Each representative
4 of a Department, Agency, or other entity speci-
5 fied in subparagraph (B) shall be appointed by
6 the head of that Department, Agency, or other
7 entity, as applicable.

8 (3) DIRECTOR.—The representatives appointed
9 under paragraph (2) shall, by majority vote, appoint
10 a Director of the Center, who—

11 (A) shall be an employee of the U.S. Geo-
12 logical Survey or the Forest Service;

13 (B) shall serve an initial term of not more
14 than 7 years;

15 (C) may serve one additional term of not
16 more than 7 years after the initial term de-
17 scribed in subparagraph (B); and

18 (D) shall be responsible for the manage-
19 ment and operation of the Center.

20 (4) ASSOCIATE DIRECTORS.—In consultation
21 with the representatives appointed under paragraph
22 (2), the Director may appoint such Associate Direc-
23 tors as the Director determines necessary.

24 (5) ADDITIONAL REPRESENTATION.—The Sec-
25 retary, acting through the Chief of the Forest Serv-

1 ice, and the Secretary of the Interior, acting through
2 the Director of the U.S. Geological Survey, may
3 jointly appoint additional representatives of Federal
4 agencies, States, Indian Tribes, or local governments
5 to the Center, as the Secretaries determine nec-
6 essary.

7 (b) PURPOSES.—The purposes of the Center are to—

8 (1) comprehensively assess and predict, using
9 data tools (including artificial intelligence) and other
10 decision support products, fire and smoke in the
11 wildland and built environment interface across ju-
12 risdictions to inform—

13 (A) land and fuels management;

14 (B) community (including at-risk commu-
15 nities identified in firehazard assessments con-
16 ducted under section 105) and built environ-
17 ment risk reduction, including the support and
18 development of community wildfire protection
19 plans and evacuation decisions; and

20 (C) public health risk reduction related to
21 wildland fire and smoke, including air quality
22 monitoring and forecasting and smoke pre-
23 diction models;

24 (D) fire response and management, includ-
25 ing the pre-positioning of wildfire suppression

1 personnel and assets based on real-time risk;
2 and

3 (E) post-fire recovery activities, including
4 activities related to vegetation recovery, debris
5 flows and flooding, watershed recovery and pro-
6 tection, and ecosystem health;

7 (2) provide data aggregation, real-time land
8 and fuels management services, and science-based
9 decision support services to inform the purposes
10 specified in subparagraph (A) through (E) of para-
11 graph (1);

12 (3) reduce fragmentation and duplication across
13 Federal land management agencies with respect to
14 predictive service and decision support functions re-
15 lated to wildland fire and smoke, including through
16 the provision of data aggregation described in para-
17 graph (2);

18 (4) promote coordination and sharing of data
19 regarding wildland fire and smoke decision making
20 (including through the provision of data aggregation
21 described in paragraph (2)) to each of the entities
22 specified in subparagraphs (A) through (F) of para-
23 graph (8);

24 (5) streamline procurement processes for tech-
25 nologies (including technologies identified under the

1 pilot program established under section 303) and cy-
2 bersecurity systems related to addressing wildland
3 fire and smoke for the purposes of scaling such tech-
4 nologies and systems across Federal agencies;

5 (6) amplify and distribute existing, and develop
6 as necessary, publicly accessible data, models, tech-
7 nologies (including mapping technologies), assess-
8 ments, and National Weather Service fire weather
9 forecasts to support short- and long-term planning
10 regarding wildland fire and smoke risk reduction
11 and post-fire recovery while avoiding duplicative ef-
12 forts, as determined by the Director;

13 (7) maintain the Fireshed Registry established
14 under section 103; and

15 (8) disseminate data tools (including artificial
16 intelligence) and other decision support products, for
17 use in manners consistent with the purposes de-
18 scribed paragraphs (1) through (7), to the following:

19 (A) Federal agencies.

20 (B) Indian Tribes.

21 (C) State and local governments.

22 (D) Academic or research institutions.

23 (E) Wildland firefighting entities, includ-
24 ing applicable incident management teams and
25 geographic coordination centers.

1 (F) Other entities, including public, pri-
2 vate, and nonprofit entities, with expertise in
3 land management, air quality, water manage-
4 ment, or public health, as determined appro-
5 priate by the Director.

6 (c) MEMORANDA OF UNDERSTANDING.—The Center
7 may enter into memoranda of understanding, contracts,
8 or other agreements with State governments, Indian
9 Tribes, local governments, academic or research institu-
10 tions, and private entities to improve the information and
11 operations of the Center.

12 (d) ADMINISTRATIVE SUPPORT, TECHNICAL SERV-
13 ICES, AND STAFF SUPPORT.—

14 (1) USGS SUPPORT.—The Secretary of the In-
15 terior shall make personnel of the U.S. Geological
16 Survey available to the Center for such administra-
17 tive support, technical services, and development and
18 dissemination of data as the Secretary determines
19 necessary to carry out this section.

20 (2) USFS SUPPORT.—The Secretary shall
21 make personnel of the Forest Service available to
22 the Center for such administrative support, technical
23 services, and the development and dissemination of
24 information related to fire management and the

1 Fireshed Registry as the Secretary determines nec-
2 essary to carry out this section.

3 (3) FUNDING.—Notwithstanding section 708 of
4 title VII of division E of the Consolidated Appro-
5 priations Act, 2023 (Public Law 117–328), the Sec-
6 retary of the Interior and Secretary may enter into
7 agreements to share the management and oper-
8 ational costs of the Center.

9 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
10 tion shall be construed to affect the ownership of any data
11 sources.

12 **SEC. 103. FIRESHED REGISTRY.**

13 (a) FIRESHED REGISTRY.—The Secretary, acting
14 through the Director of the Fireshed Center appointed
15 under section 102, shall maintain a Fireshed Registry on
16 a publicly accessible website that provides interactive
17 geospatial data on individual firesheds, including informa-
18 tion on—

19 (1) wildfire exposure delineated by ownership,
20 including rights-of-way for utilities and other public
21 or private purposes;

22 (2) any hazardous fuels management activities
23 that have occurred within an individual fireshed in
24 the past 10 years;

1 (3) wildfire exposure with respect to such
2 fireshed delineated by—

3 (A) wildfire exposure and corresponding
4 risk to communities, including risk to life and
5 structures;

6 (B) wildfire exposure and corresponding
7 risk to municipal watersheds, including tribal
8 water supplies and systems; and

9 (C) risk of forest conversion due to wild-
10 fire;

11 (4) the percentage of the fireshed that has
12 burned in wildfires in the past 10 years, including,
13 to the extent practicable, delineations of acres that
14 have burned at a high severity;

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

17 (6) any hazardous fuels management activities
18 planned for the fireshed, including fireshed manage-
19 ment projects.

20 (b) COMMUNITY WILDFIRE PROTECTION PLANS.—

21 The Director shall make data from the Fireshed Registry
22 available to local communities developing or updating com-
23 munity wildfire protection plans.

1 (c) REQUIREMENT TO MAINTAIN.—As part of the
2 website containing the Fireshed Registry, the Director
3 shall—

4 (1) publish fireshed assessments created under
5 section 105; and

6 (2) maintain a searchable database to track—

7 (A) the status of Federal environmental re-
8 views, permits, and authorizations for fireshed
9 management projects, including—

10 (i) a comprehensive permitting time-
11 table;

12 (ii) the status of the compliance of
13 each lead agency, cooperating agency, and
14 participating agency with the permitting
15 timetable with respect to such fireshed
16 management projects;

17 (iii) any modifications of the permit-
18 ting timetable required under clause (i), in-
19 cluding an explanation as to why the per-
20 mitting timetable was modified; and

21 (iv) information about project-related
22 public meetings, public hearings, and pub-
23 lic comment periods, which shall be pre-
24 sented in English and the predominant
25 language of the community or communities

1 most affected by the project, as that infor-
2 mation becomes available;

3 (B) the projected cost of such fireshed
4 management projects; and

5 (C) in the case of completed fireshed man-
6 agement projects, the effectiveness of such
7 projects in reducing the wildfire exposure within
8 an applicable fireshed, including wildfire expo-
9 sure described in subparagraphs (A) through
10 (C) of subsection (a)(3).

11 (d) RELIANCE ON EXISTING ASSESSMENTS.—In car-
12 rying out this section, the Director may rely on assess-
13 ments completed or data gather through existing partner-
14 ships, to the extent practicable.

15 **SEC. 104. SHARED STEWARDSHIP.**

16 (a) JOINT AGREEMENTS.—Not later than 90 days
17 after receiving a written request from a Governor of a
18 State or an Indian Tribe, the Secretary concerned shall
19 enter into a shared stewardship agreement (or similar
20 agreement) with such Governor or Indian Tribe to joint-
21 ly—

22 (1) promote the reduction of wildfire exposure,
23 based on the criteria in section 101(a)(1)(B), in
24 fireshed management areas across jurisdictional
25 boundaries; and

1 (2) conduct fireshed assessments under section
2 105.

3 (b) **ADDITIONAL FIRESHED MANAGEMENT AREAS.**—

4 With respect to a shared stewardship agreement (or simi-
5 lar agreement) with a Governor of a State or an Indian
6 Tribe entered into under subsection (a), the Secretary con-
7 cerned, if requested by such Governor or Indian Tribe,
8 may—

9 (1) designate additional fireshed management
10 areas under such agreement; and

11 (2) update such agreement to address new wild-
12 fire threats.

13 **SEC. 105. FIRESHED ASSESSMENTS.**

14 (a) **FIRESHED ASSESSMENTS.**—

15 (1) **IN GENERAL.**—Not later than 90 days after
16 the date on which the Secretary concerned enters
17 into an agreement with a Governor of a State or an
18 Indian Tribe under section 104, the Secretary con-
19 cerned and such Governor or Indian Tribe shall,
20 with respect to the fireshed management areas des-
21 ignated in such State, jointly conduct a fireshed as-
22 sessment that—

23 (A) identifies—

24 (i) using the best available science,
25 wildfire exposure risks within each such

- 1 fired management area, including sce-
2 nario planning and wildfire hazard map-
3 ping and models; and
- 4 (ii) each at-risk community within
5 each fired management area;
- 6 (B) identifies potential fired manage-
7 ment projects to be carried out in such fired
8 management areas, giving priority—
- 9 (i) primarily, to projects with the pur-
10 pose of reducing—
- 11 (I) wildfire exposure and cor-
12 responding risk to communities, in-
13 cluding risk to life and structures;
- 14 (II) wildfire exposure and cor-
15 responding risk to municipal water-
16 sheds, including tribal water supplies
17 and systems;
- 18 (III) risk of forest conversion due
19 to wildfire; or
- 20 (IV) any combination of purposes
21 described in subclauses (I) through
22 (III); and
- 23 (ii) secondarily, to projects with the
24 purpose of protecting—

1 (I) critical infrastructure, includ-
2 ing utility infrastructure;

3 (II) wildlife habitats, including
4 habitat for species listed under the
5 Endangered Species Act (16 U.S.C.
6 1531 et seq.);

7 (III) the built environment, in-
8 cluding residential and commercial
9 buildings;

10 (IV) resources of an Indian
11 Tribe, as defined by the Indian Tribe;
12 or

13 (V) any combination of purposes
14 described in subclauses (I) through
15 (IV);

16 (C) includes—

17 (i) a strategy for reducing the threat
18 of wildfire to at-risk communities in the
19 wildland-urban interface on both Federal
20 and non-Federal land;

21 (ii) a timeline for the implementation
22 of fireshed management projects;

23 (iii) long-term benchmark goals for
24 the completion of fireshed management
25 projects in the highest wildfire exposure

1 areas so that such projects contribute to
2 the development and maintenance of
3 healthy and resilient landscapes;

4 (iv) policies to ensure fireshed man-
5 agement projects comply with applicable
6 forest plans and incorporate the best avail-
7 able science; and

8 (v) a strategy for reducing the threat
9 of wildfire to improve the effectiveness of
10 wildland firefighting, particularly the effec-
11 tiveness of fuels treatments that would im-
12 prove wildland firefighter safety during
13 wildfires;

14 (D) shall be regularly updated based on
15 the best available science, as determined by the
16 Secretary concerned; and

17 (E) shall be publicly available on a website
18 maintained by the Secretary concerned.

19 (2) LOCAL GOVERNMENT PARTICIPATION.—
20 Upon the written request of a local government, the
21 Secretary concerned and the Governor of the State
22 in which the local government is located may allow
23 such local government to participate in producing
24 the fireshed assessment under paragraph (1) for
25 such State.

1 (3) INFORMATION IMPROVEMENT.—

2 (A) MEMORANDA OF UNDERSTANDING.—

3 In carrying out a fireshed assessment under
4 this subsection, the Secretary concerned may
5 enter into memoranda of understanding with
6 other Federal agencies or departments (includ-
7 ing the National Oceanic and Atmospheric Ad-
8 ministration), States, Indian Tribes, private en-
9 tities, or research or educational institutions to
10 improve, with respect to such assessment, the
11 use and integration of—

12 (i) advanced remote sensing and
13 geospatial technologies;

14 (ii) statistical modeling and analysis;

15 or

16 (iii) any other technology or combina-
17 tion of technologies and analyses that the
18 Secretary concerned determines will benefit
19 the quality of information of such an as-
20 sessment.

21 (B) BEST AVAILABLE SCIENCE.—In using
22 the best available science for the fireshed as-
23 sements completed under subsection (a)(1),
24 the Secretary concerned and Governor shall, to
25 the maximum extent practicable, incorporate—

- 1 (i) traditional ecological knowledge
2 from Indian Tribes;
- 3 (ii) data from State forest action
4 plans and State wildfire risk assessments;
- 5 (iii) data from the Fireshed Registry
6 maintained under section 103; and
- 7 (iv) data from other Federal, State,
8 Tribal, and local governments or agencies.

9 (b) APPLICABILITY OF NEPA.—Fireshed assess-
10 ments conducted under this section shall not be subject
11 to the requirements of the National Environmental Policy
12 Act of 1969 (42 U.S.C. 4321 et seq.).

13 **SEC. 106. EMERGENCY FIRESHED MANAGEMENT.**

14 (a) FIRESHED MANAGEMENT PROJECTS.—

15 (1) IN GENERAL.—The Secretary concerned,
16 acting through a responsible official, shall carry out
17 fireshed management projects in fireshed manage-
18 ment areas designated under section 101 in accord-
19 ance with this section.

20 (2) FIRESHED MANAGEMENT PROJECTS.—The
21 responsible official shall carry out the following for-
22 est and vegetation management activities as fireshed
23 management projects under this section:

24 (A) Conducting hazardous fuels manage-
25 ment activities.

1 (B) Creating fuel breaks and fire breaks.

2 (C) Removing hazard trees, dead trees,
3 dying trees, or trees at risk of dying, as deter-
4 mined by the responsible official.

5 (D) Developing, approving, or conducting
6 routine maintenance under a vegetation man-
7 agement, facility inspection, and operation and
8 maintenance plan submitted under section
9 512(c)(1) of the Federal Land Policy and Man-
10 agement Act of 1976 (43 U.S.C. 1772(c)(1)).

11 (E) Removing trees to address over-
12 stocking or crowding in a forest stand, con-
13 sistent with the appropriate basal area of the
14 forest stand as determined by the responsible
15 official.

16 (F) Using chemical or re-seeding and
17 planting treatments to address insects and dis-
18 ease and control vegetation competition or
19 invasive species.

20 (G) Any activities recommended by an ap-
21 plicable firehatched assessment carried out under
22 section 105.

23 (H) Any activities recommended by an ap-
24 plicable community wildfire protection plan.

1 (I) Any combination of activities described
2 in this paragraph.

3 (3) EMERGENCY FIRESHED MANAGEMENT.—

4 (A) IN GENERAL.—For any fireshed man-
5 agement area designated under section 101, the
6 following shall have the force and effect of law:

7 (i) Section 220.4(b) of title 36, Code
8 of Federal Regulations (as in effect on the
9 date of enactment of this Act), with re-
10 spect to lands under the jurisdiction of the
11 Secretary.

12 (ii) Section 46.150 of title 43, Code of
13 Federal Regulations (as in effect on the
14 date of enactment of this Act), with re-
15 spect to lands under the jurisdiction of the
16 Secretary of the Interior.

17 (iii) Section 402.05 of title 50, Code
18 of Federal Regulations (as in effect on the
19 date of enactment of this Act).

20 (iv) Section 800.12 of title 36, Code
21 of Federal Regulations (as in effect on the
22 date of enactment of this Act).

23 (B) UTILIZATION OF EXISTING STREAM-
24 LINED AUTHORITIES IN FIRESHED MANAGE-
25 MENT AREAS.—

1 (i) IN GENERAL.—Fireshed manage-
2 ment projects carried out under this sec-
3 tion shall be considered authorized projects
4 under the following categorical exclusions:

5 (I) Section 603(a) of the Healthy
6 Forests Restoration Act of 2003 (16
7 U.S.C. 6591b(a)).

8 (II) Section 605(a) of the
9 Healthy Forests Restoration Act of
10 2003 (16 U.S.C. 6591d(a)).

11 (III) Section 606(b) of the
12 Healthy Forests Restoration Act of
13 2003 (16 U.S.C. 6591e(b)).

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

17 (V) Section 4(c)(4) of the Lake
18 Tahoe Restoration Act (Public Law
19 106–506; 114 Stat. 2353).

20 (ii) ADDITIONAL EMERGENCY AC-
21 TIONS.—Subsection (d) of section 40807 of
22 the Infrastructure Investment and Jobs
23 Act (16 U.S.C. 6592c) shall apply to
24 fireshed management projects under this
25 section in the same manner as such sub-

1 section applies to authorized emergency ac-
2 tions (as defined in subsection (a) of such
3 section 40807) under such section 40807.

4 (iii) USE OF EXPEDITED AUTHORI-
5 TIES.—In carrying out a firehshed manage-
6 ment project, the Secretary shall apply a
7 categorical exclusion under clause (i)—

8 (I) in a manner consistent with
9 the statute establishing such categor-
10 ical exclusion; and

11 (II) in any area—

12 (aa) designated as suitable
13 for timber production within the
14 applicable forest plan; or

15 (bb) where timber harvest
16 activities are not prohibited.

17 (iv) FISCAL RESPONSIBILITY ACT RE-
18 QUIREMENTS.—In carrying out this sec-
19 tion, the Secretary concerned shall ensure
20 compliance with the amendments made to
21 the National Environmental Policy Act (42
22 U.S.C. 4321 et seq.) by the Fiscal Respon-
23 sibility Act of 2023 (Public Law 118–5).

24 (v) USE OF OTHER AUTHORITIES.—
25 To the maximum extent practicable, the

1 Secretary concerned shall use the authori-
2 ties provided under this section in com-
3 bination with other authorities to carry out
4 firefreshed management projects, including—

5 (I) good neighbor agreements en-
6 tered into under section 8206 of the
7 Agricultural Act of 2014 (16 U.S.C.
8 2113a) (as amended by this Act);

9 (II) stewardship contracting
10 projects entered into under section
11 604 of the Healthy Forests Restora-
12 tion Act of 2003 (16 U.S.C. 6591c)
13 (as amended by this Act);

14 (III) self-determination contracts
15 and self-governance compact agree-
16 ments entered into under the Indian
17 Self-Determination and Education As-
18 sistance Act (25 U.S.C. 5301 et seq.);

19 and

20 (IV) agreements entered into
21 under the Tribal Forest Protection
22 Act of 2004 (25 U.S.C. 3115a et
23 seq.).

24 (b) EXPANSION.—

1 (1) HFRA AMENDMENTS.—The Healthy For-
2 ests Restoration Act of 2003 is amended—

3 (A) in section 3 (16 U.S.C. 6502), by in-
4 serting at the end the following:

5 “(3) LOCAL GOVERNMENT.—The term ‘local
6 government’ means a county, municipality, or special
7 district.

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

10 “(A) has significant budgetary autonomy
11 or control;

12 “(B) was created by or pursuant to the
13 laws of the State for the purpose of performing
14 a limited and specific governmental or propri-
15 etary function; and

16 “(C) is distinct from any other local gov-
17 ernment unit within the State.”.

18 (B) in section 603(c)(1) (16 U.S.C.
19 6591b(c)(1)), by striking “3000 acres” and in-
20 serting “10,000 acres”;

21 (C) in section 603(c)(2)(B) (16 U.S.C.
22 6591b(c)(2)(B)), by striking “Fire Regime
23 Groups I, II, or III” and inserting “Fire Re-
24 gime I, Fire Regime II, Fire Regime III, Fire
25 Regime IV, or Fire Regime V”;

1 (D) in section 605(c)(1) (16 U.S.C.
2 6591d(e)(1)), by striking “3000 acres” and in-
3 serting “10,000 acres”; and

4 (E) in section 606(g) (16 U.S.C.
5 6591e(g)), by striking “4,500 acres” and in-
6 serting “10,000 acres”.

7 (2) INFRASTRUCTURE INVESTMENT AND JOBS
8 ACT AMENDMENT.—Section 40806(d)(1) of the In-
9 frastructure Investment and Jobs Act (16 U.S.C.
10 6592b(d)(1)), by striking “3,000 acres” and insert-
11 ing “10,000 acres”.

12 (3) LAKE TAHOE RESTORATION ACT AMEND-
13 MENTS.—Section 4(c)(4)(C) of the Lake Tahoe Res-
14 toration Act (Public Law 106–506; 114 Stat. 2353)
15 is amended—

16 (A) by striking “Lake Tahoe Basin Man-
17 agement Unit”; and

18 (B) by inserting “applicable to the area”
19 before the period at the end.

20 **SEC. 107. SUNSET.**

21 The authority under this subtitle shall terminate on
22 the date that is 7 years after the date of enactment of
23 this Act.

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

4 **SEC. 111. MODIFICATION OF THE TREATMENT OF CERTAIN**
5 **REVENUE AND PAYMENTS UNDER GOOD**
6 **NEIGHBOR 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)(6), by striking “or Indian
11 tribe”;

12 (2) in subsection (a), by inserting the following:

13 “(11) SPECIAL DISTRICT.—The term ‘special
14 district’ means a political subdivision of a State
15 that—

16 “(A) has significant budgetary autonomy
17 or control;

18 “(B) was created by or pursuant to the
19 laws of the State for the purpose of performing
20 a limited and specific governmental or propri-
21 etary function; and

22 “(C) is distinct from any other local gov-
23 ernment unit within the State.”.

24 (3) in subsection (b)—

1 (A) in paragraph (1)(A), by inserting “,
2 Indian Tribe, special district,” after “Gov-
3 ernor”;

4 (B) in paragraph (2)(C)—

5 (i) in clause (i)—

6 (I) by inserting “special district,”
7 after “Indian Tribe,” each place it ap-
8 pears;

9 (II) in subclause (I)—

10 (aa) by striking “on”; and

11 (bb) by striking “; and” and
12 inserting a semicolon;

13 (III) in subclause (II)(bb), by
14 striking the period at the end and in-
15 serting a semicolon; and

16 (IV) by adding at the end the fol-
17 lowing:

18 “(III) to construct new perma-
19 nent roads on Federal lands that
20 are—

21 “(aa) necessary to imple-
22 ment authorized restoration ac-
23 tivities; and

24 “(bb) approved by the Fed-
25 eral agency through an environ-

1 mental analysis or categorical ex-
2 clusion decision;

3 “(IV) to complete new permanent
4 road construction to replace and de-
5 commission an existing permanent
6 road that is adversely impacting for-
7 est, rangeland, or watershed health;
8 and

9 “(V) if there are funds remaining
10 after carrying out subclauses (I)
11 through (IV), to carry out authorized
12 restoration services under other good
13 neighbor agreements and for the ad-
14 ministration of a good neighbor au-
15 thority program by a Governor, In-
16 dian tribe, special district, or coun-
17 ty.”; and

18 (ii) in clause (ii), by striking “2028”
19 and inserting “2030”; and

20 (C) in paragraph (3), by inserting “, In-
21 dian Tribe, special district,” after “Governor”;
22 and

23 (D) by striking paragraph (4).

1 (b) CONFORMING AMENDMENTS.—Section 8206(a)
2 of the Agricultural Act of 2014 (16 U.S.C. 2113a(a)) is
3 amended—

4 (1) in paragraph (1)(B), by inserting “, Indian
5 Tribe, special district,” after “Governor”; and

6 (2) in paragraph (5), by inserting “, Indian
7 Tribe, special district,” after “Governor”.

8 (c) EFFECTIVE DATE.—The amendments made by
9 this section apply to any project initiated pursuant to a
10 good neighbor agreement (as defined in section 8206(a)
11 of the Agricultural Act of 2014 (16 U.S.C. 2113a(a)))—

12 (1) before the date of enactment of this Act, if
13 the project was initiated after the date of enactment
14 of the Agriculture Improvement Act of 2018 (Public
15 Law 115–334; 132 Stat. 4490); or

16 (2) on or after the date of enactment of this
17 Act.

18 **SEC. 112. FIXING STEWARDSHIP END RESULT CON-**
19 **TRACTING.**

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

22 (1) in subsection (b), by inserting “, including
23 retaining and expanding existing forest products in-
24 frastructure” before the period at the end;

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

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

5 “(4) SPECIAL RULE FOR LONG-TERM STEWARD-
6 SHIP CONTRACTS.—

7 “(A) IN GENERAL.—A long-term agree-
8 ment or contract entered into with an entity
9 under subsection (b) by the Chief or the Direc-
10 tor shall provide that in the case of the can-
11 cellation or termination by the Chief or the Di-
12 rector of such long-term agreement or contract,
13 the Chief or the Director, as applicable, shall
14 provide 10 percent of the agreement or contract
15 amount to such entity as cancellation or termi-
16 nation costs.

17 “(B) DEFINITION OF LONG-TERM AGREE-
18 MENT OR CONTRACT.—In this paragraph, the
19 term ‘long-term agreement or contract’ means
20 an agreement or contract under subsection
21 (b)—

22 “(i) with a term of more than 5 years;

23 and

24 “(ii) entered into on or after the date
25 of the enactment of this paragraph.”.

1 **SEC. 113. INTRA-AGENCY STRIKE TEAMS.**

2 (a) ESTABLISHMENT.—The Secretary concerned
3 shall establish intra-agency strike teams to assist the Sec-
4 retary concerned with—

5 (1) any reviews, including analysis under the
6 National Environmental Policy Act of 1969 (42
7 U.S.C. 4321 et seq.), consultations under the Na-
8 tional Historic Preservation Act of 1966 (16 U.S.C.
9 470 et seq.), and consultations under the Endan-
10 gered Species Act of 1973 (16 U.S.C. 1531 et seq.),
11 with the intent to accelerate and streamline inter-
12 agency consultation processes;

13 (2) the implementation of any necessary site
14 preparation work in advance of or as part of a
15 fireshed management project;

16 (3) the implementation of fireshed management
17 projects under such section; and

18 (4) any combination of purposes under para-
19 graphs (1) through (3).

20 (b) MEMBERS.—The Secretary concerned may ap-
21 point not more than 10 individuals to serve on an intra-
22 agency strike team comprised of—

23 (1) employees of the Department under the ju-
24 risdiction of the Secretary concerned;

25 (2) employees of a different Federal agency,
26 with the consent of that agency's Secretary;

1 (3) private contractors from any nonprofit orga-
2 nization, State government, Indian Tribe, local gov-
3 ernment, quasi-governmental agency, academic insti-
4 tution, or private organization; and

5 (4) volunteers from any nonprofit organization,
6 State government, Indian Tribe, local government,
7 quasi-governmental agency, academic institution, or
8 private organization.

9 (c) SUNSET.—The authority provided under this sec-
10 tion shall terminate on the date that is 7 years after the
11 date of enactment of this Act.

12 **SEC. 114. LOCALLY-LED RESTORATION.**

13 (a) THRESHOLD ADJUSTMENT.—Section 14(d) of the
14 National Forest Management Act of 1976 (16 U.S.C.
15 472a(d)) is amended by—

16 (1) striking “\$10,000” and inserting
17 “\$55,000”; and

18 (2) by adding at the end the following: “Begin-
19 ning on January 1, 2027, and annually thereafter,
20 the amount in the first sentence of this subsection
21 shall be adjusted by the Secretary for changes in the
22 Consumer Price Index of All Urban Consumers pub-
23 lished by the Bureau of Labor Statistics of the De-
24 partment of Labor.”.

1 (b) FIRESHED MANAGEMENT PROJECTS.—Begin-
2 ning on the date that is 30 days after the date of enact-
3 ment of this Act, the Secretary shall solicit bids under sec-
4 tion 14 of the National Forest Management Act of 1976
5 (16 U.S.C. 472a(d)) for fireshed management projects
6 under section 106.

7 **SEC. 115. JOINT CHIEFS LANDSCAPE RESTORATION PART-**
8 **NERSHIP PROGRAM.**

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

11 (1) in subsection (a)(2)—

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

14 (B) in subparagraph (C), by striking the
15 period at the end and inserting a semicolon;
16 and

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

18 “(D) to recover from wildfires; or

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

21 (2) in subsection (d)(1)—

22 (A) in subparagraph (A), by inserting
23 “and post-wildfire impacts” after “wildfire
24 risk”; and

1 (B) in subparagraph (F), by inserting “,
2 as identified in the corresponding State forest
3 action plan or similar priority plan (such as a
4 State wildlife or water plan)” before the semi-
5 colon;

6 (3) in subsection (g)(2), by inserting “and at
7 least once every 2 fiscal years thereafter” after “and
8 2023”; and

9 (4) in subsection (h)(1), by striking “and
10 2023” and inserting “through 2030”.

11 **SEC. 116. COLLABORATIVE FOREST LANDSCAPE RESTORA-**
12 **TION PROGRAM.**

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

15 (1) in subsection (b)(3)—

16 (A) in subparagraph (D), by striking “spe-
17 cies;” and inserting “species or pathogens;”;

18 (B) in subparagraph (G), by striking
19 “and” at the end;

20 (C) in subparagraph (H), by adding “and”
21 after the semicolon at the end; and

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

23 “(I) address standardized monitoring ques-
24 tions and indicators;”;

25 (2) in subsection (c)(3)(A)—

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

3 (B) in clause (ii), by adding “and” at the
4 end; and

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

6 “(iii) include a plan to provide sup-
7 port to collaborative processes established
8 pursuant to subsection (b)(2);”;

9 (3) in subsection (d)—

10 (A) in paragraph (2)—

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

13 (ii) in subparagraph (F), by striking
14 the period at the end and inserting “;
15 and”; and

16 (iii) by adding at the end the fol-
17 lowing:

18 “(G) proposals that seek to use innovative
19 implementation mechanisms, including good
20 neighbor agreements entered into under section
21 8206 of the Agricultural Act of 2014 (16
22 U.S.C. 2113a);

23 “(H) proposals that seek to remove or
24 treat insects or diseases, including the removal
25 of trees killed by, or infested with, bark beetles

1 in Arizona, California, Colorado, Idaho, Mon-
2 tana, Nebraska, Nevada, New Mexico, Oregon,
3 South Dakota, Utah, Washington, and Wyo-
4 ming;

5 “(I) proposals that seek to facilitate the
6 sale of firewood and Christmas trees on lands
7 under the jurisdiction of the Secretary or the
8 Secretary of the Interior;

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

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

15 “(ii) within the wildland-urban inter-
16 face (as defined in section 101 of the
17 Healthy Forests Restoration Act of 2003
18 (16 U.S.C. 6511)); and

19 “(K) proposals that seek to enhance water-
20 shed health and drinking water sources.”; and

21 (B) in paragraph (3)—

22 (i) by amending subparagraph (A) to
23 read as follows:

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

4 (ii) by striking subparagraph (B); and

5 (iii) by redesignating subparagraph
6 (C) as subparagraph (B); and

7 (4) in subsection (f)(6), by striking “2019
8 through 2023” and inserting “2025 through 2030”.

9 **SEC. 117. UTILIZING GRAZING FOR WILDFIRE RISK REDUC-**
10 **TION.**

11 The Secretary, acting through the Chief of the Forest
12 Service, in coordination with holders of permits to graze
13 livestock on Federal land, shall develop a strategy to in-
14 crease opportunities to utilize livestock grazing as a wild-
15 fire risk reduction strategy, including—

16 (1) completion of reviews (as required under the
17 National Environmental Policy Act of 1969 (U.S.C.
18 4321 et seq.)) to allow permitted grazing on vacant
19 grazing allotments during instances of drought, wild-
20 fire, or other natural disasters that disrupt grazing
21 on allotments already permitted;

22 (2) use of targeted grazing;

23 (3) increased use of temporary permits to pro-
24 mote targeted fuels reduction and reduction of
25 invasive annual grasses;

1 (4) increased use of grazing as a postfire recovery and restoration strategy, where appropriate; and

2
3 (5) use of all applicable authorities under the
4 law.

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

6 Section 303 of the Healthy Forests Restoration Act
7 of 2003 (16 U.S.C. 6542(g)(4)(B)) is amended—

8 (1) in subsection (a)—

9 (A) by redesignating paragraphs (1)
10 through (7) as paragraphs (2) through (8), re-
11 spectively;

12 (B) by inserting before paragraph (2), as
13 so redesignated, the following:

14 “(1) ADJACENT LAND.—The term ‘adjacent
15 land’ means non-Federal land, including State, local,
16 and private land, that is adjacent to, and within the
17 same watershed as, National Forest System land on
18 which a watershed protection and restoration project
19 is carried out under this section.”; and

20 (C) in paragraph (2), as so redesignated—

21 (i) by redesignating subparagraphs
22 (G) and (H) as subparagraphs (K) and
23 (L), respectively; and

24 (ii) by inserting after subparagraph
25 (F) the following:

1 “(G) an acequia association;

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

5 “(I) a land-grant mercedes;

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

8 (2) in subsection (b)—

9 (A) by striking “The Secretary shall” and
10 inserting the following:

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

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

13 “(2) REQUIREMENTS.—A watershed protection
14 and restoration project under the Program shall be
15 designed to—

16 “(A) protect and restore watershed health,
17 water supply and quality, a municipal or agri-
18 cultural water supply system, and water-related
19 infrastructure;

20 “(B) protect and restore forest health from
21 insect infestation and disease or wildfire; or

22 “(C) advance any combination of the pur-
23 poses described in subparagraphs (A) and (B).

24 “(3) PRIORITIES.—In selecting watershed pro-
25 tection and restoration projects under the Program,

1 the Secretary shall give priority to projects that
2 would—

3 “(A) provide risk management benefits as-
4 sociated with: drought; wildfire; post-wildfire
5 conditions; extreme weather; flooding; resilience
6 to climate change; and watershed and fire resil-
7 ience, including minimizing risks to watershed
8 health, water supply and quality, and water-re-
9 lated infrastructure, including municipal and
10 agricultural water supply systems;

11 “(B) support aquatic restoration and con-
12 servation efforts that complement existing or
13 planned forest restoration or wildfire risk re-
14 duction efforts; or

15 “(C) provide quantifiable benefits to water
16 supply or quality and include the use of nature-
17 based solutions, such as restoring wetland and
18 riparian ecosystems.

19 “(4) CONDITIONS FOR PROJECTS ON ADJACENT
20 LAND.—

21 “(A) IN GENERAL.—No project or activity
22 may be carried out under this section on adja-
23 cent land unless the owner of the adjacent land
24 agrees in writing that the owner is a willing and

1 engaged partner in carrying out that project or
2 activity.

3 “(B) EFFECT.—Nothing in this section
4 shall be construed to authorize any change in—

5 “(i) the ownership of adjacent land on
6 which a project or activity is carried out
7 under this section; or

8 “(ii) the management of adjacent land
9 on which a project or activity is carried out
10 under this section, except during the car-
11 rying out of that project or activity.”;

12 (3) in subsection (c)—

13 (A) in paragraph (1), by striking “with
14 end water users” and inserting “with end water
15 users to protect and restore the condition of
16 National Forest watersheds and adjacent land
17 that provide water—

18 “(A) to the end water users subject to the
19 agreement; or

20 “(B) for the benefit of another end water
21 user.”;

22 (B) in paragraph (2)—

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

1 (ii) by redesignating subparagraph
2 (D) as subparagraph (E); and

3 (iii) by inserting after subparagraph
4 (C) the following:

5 “(D) a good neighbor agreement entered
6 into under section 8206 of the Agricultural Act
7 of 2014 (16 U.S.C. 2113a); or”; and

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

9 “(3) COOPERATION WITH NON-FEDERAL PART-
10 NERS.—The Secretary shall cooperate with non-Fed-
11 eral partners in carrying out assessments, planning,
12 project design, and project implementation under
13 this section.”;

14 (4) in subsection (d)—

15 (A) by amending paragraph (2) to read as
16 follows:

17 “(2) REQUIREMENT.—A water source manage-
18 ment plan shall be—

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

24 “(B) based on the best available scientific
25 information; and

1 “(C) conducted in a manner consistent
2 with the forest plan applicable to the National
3 Forest System land on which the watershed
4 protection and restoration project is carried
5 out.”; and

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

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

14 (5) in subsection (e)(1), by striking “primary
15 purpose of” and all that follows through the period
16 at the end and inserting “primary purpose of ad-
17 vancing any of the purposes described in subsection
18 (b)(2).”.

19 **SEC. 119. WATERSHED CONDITION FRAMEWORK TECH-**
20 **NICAL CORRECTIONS.**

21 Section 304(a) of the Healthy Forests Restoration
22 Act of 2003 (16 U.S.C. 6543(a)) is amended in para-
23 graphs (3) and (5) by striking “protection and”.

1 **Subtitle C—Litigation Reform**

2 **SEC. 121. COMMONSENSE LITIGATION REFORM.**

3 (a) IN GENERAL.—A court shall not enjoin a covered
4 agency action if the court determines that the plaintiff is
5 unable to demonstrate that the claim of the plaintiff is
6 likely to succeed on the merits.

7 (b) BALANCING SHORT- AND LONG-TERM EFFECTS
8 OF COVERED AGENCY ACTION IN CONSIDERING INJUNC-
9 TIVE RELIEF.—As part of its weighing the equities while
10 considering any request for an injunction that applies to
11 a covered agency action, the court reviewing such action
12 shall balance the impact to the ecosystem likely affected
13 by such action of—

14 (1) the short- and long-term effects of under-
15 taking such action; against

16 (2) the short- and long-term effects of not un-
17 dertaking such action.

18 (c) LIMITATIONS ON JUDICIAL REVIEW.—

19 (1) IN GENERAL.—Notwithstanding any other
20 provision of law (except this section), in the case of
21 a claim arising under Federal law seeking judicial
22 review of a covered agency action—

23 (A) a court shall not hold unlawful, set
24 aside, or otherwise limit, delay, stay, vacate, or

1 enjoin such agency action unless the court de-
2 termines that—

3 (i) such action poses or will pose a
4 risk of a proximate and substantial envi-
5 ronmental harm; and

6 (ii) there is no other equitable remedy
7 available as a matter of law; and

8 (B) if a court determines that subpara-
9 graph (A) does not apply to the covered agency
10 action the only remedy the court may order
11 with regard to such agency action is to remand
12 the matter to the agency with instructions to,
13 during the 180-day period beginning on the
14 date of the order, take such additional actions
15 as may be necessary to redress any legal wrong
16 suffered by, or adverse effect on, the plaintiff,
17 except such additional actions may not include
18 the preparation of a new agency document un-
19 less the court finds the agency was required
20 and failed to prepare such agency document.

21 (2) EFFECT OF REMAND.—In the case of a cov-
22 ered agency action to which paragraph (1)(B) ap-
23 plies, the agency may—

24 (A) continue to carry out such agency ac-
25 tion to the extent the action does not impact

1 the additional actions required pursuant to such
2 paragraph; and

3 (B) if the agency action relates to an agen-
4 cy document, use any format to correct such
5 document (including a supplemental environ-
6 mental document, memorandum, or errata
7 sheet).

8 (d) LIMITATIONS ON CLAIMS.—Notwithstanding any
9 other provision of law (except this section), a claim arising
10 under Federal law seeking judicial review of a covered
11 agency action shall be barred unless—

12 (1) with respect to an agency document or the
13 application of a categorical exclusion noticed in the
14 Federal Register, such claim is filed not later than
15 120 days after the date of publication of a notice in
16 the Federal Register of agency intent to carry out
17 the finished management project relating to such
18 agency document or application, unless a shorter pe-
19 riod is specified in such Federal law;

20 (2) in the case of an agency document or the
21 application of a categorical exclusion not described
22 in paragraph (1), such claim is filed not later than
23 120 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; and

3 (3) in the case of a covered agency action for
4 which there was a public comment period, such
5 claim—

6 (A) is filed by a party that—

7 (i) participated in the administrative
8 proceedings regarding the fireshed man-
9 agement project relating to such action;
10 and

11 (ii) submitted a comment during such
12 public comment period and such comment
13 was sufficiently detailed to put the applica-
14 ble agency on notice of the issue upon
15 which the party seeks judicial review; and

16 (B) is related to such comment.

17 (e) DEFINITIONS.—In this section:

18 (1) AGENCY DOCUMENT.—The term “agency
19 document” means, with respect to a fireshed man-
20 agement project, a record of decision, environmental
21 document, or programmatic environmental docu-
22 ment.

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

1 (A) the establishment of a fireshed man-
2 agement project by an agency;

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

5 (C) the preparation of any agency docu-
6 ment for a fireshed management project; or

7 (D) any other agency action as part of a
8 fireshed management project.

9 (3) NEPA TERMS.—The terms “categorical ex-
10 clusion”, “environmental document”, and “pro-
11 grammatic environmental document” have the mean-
12 ings given such terms, respectively, in section 111 of
13 the National Environmental Policy Act of 1969 (42
14 U.S.C. 4336e).

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

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

20 “(2) NO ADDITIONAL CONSULTATION RE-
21 QUIRED UNDER CERTAIN CIRCUMSTANCES.—Not-
22 withstanding any other provision of law, the Sec-
23 retary shall not be required to reinitiate consultation
24 under section 7(a)(2) of the Endangered Species Act
25 of 1973 (16 U.S.C. 1536(a)(2)) or section 402.16 of

1 title 50, Code of Federal Regulations (or a successor
2 regulation), on a land management plan approved,
3 amended, or revised under this section when—

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

7 “(B) new information reveals effects of the
8 land management plan that may affect a spe-
9 cies listed or critical habitat designated under
10 that Act in a manner or to an extent not pre-
11 viously considered.”.

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

16 “(g) NO ADDITIONAL CONSULTATION REQUIRED
17 UNDER CERTAIN CIRCUMSTANCES.—Notwithstanding
18 any other provision of law, the Secretary shall not be re-
19 quired to reinitiate consultation under section 7(a)(2) of
20 the Endangered Species Act of 1973 (16 U.S.C.
21 1536(a)(2)) or section 402.16 of title 50, Code of Federal
22 Regulations (or a successor regulation), on a land use plan
23 approved, amended, or revised under this section when—

1 “(1) a new species is listed or critical habitat
2 is designated under the Endangered Species Act of
3 1973 (16 U.S.C. 1531 et seq.); or

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

8 **TITLE II—PROTECTING COMMU-**
9 **NITIES IN THE WILDLAND-**
10 **URBAN INTERFACE**

11 **SEC. 201. COMMUNITY WILDFIRE RISK REDUCTION PRO-**
12 **GRAM.**

13 (a) ESTABLISHMENT.—Not later than 30 days after
14 the date of enactment of this Act, the Secretaries shall
15 jointly establish an interagency program to be known as
16 the “Community Wildfire Risk Reduction Program” that
17 shall consist of at least one representative from each of
18 the following:

19 (1) The Office of Wildland Fire of the Depart-
20 ment of the Interior.

21 (2) The National Park Service.

22 (3) The Bureau of Land Management.

23 (4) The United States Fish and Wildlife Serv-
24 ice.

25 (5) The Bureau of Indian Affairs.

1 (6) The Forest Service.

2 (7) The Federal Emergency Management Agen-
3 cy.

4 (8) The United States Fire Administration.

5 (9) The National Institute of Standards and
6 Technology.

7 (10) The National Oceanic and Atmospheric
8 Administration.

9 (b) PURPOSE.—The purpose of the program estab-
10 lished under subsection (a) is to support interagency co-
11 ordination in reducing the risk of, and the damages result-
12 ing from, wildfires in communities (including tribal com-
13 munities) in the wildland-urban interface through—

14 (1) advancing research and science in wildfire
15 resilience and land management, including support
16 for non-Federal research partnerships;

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

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

1 (4) encouraging public-private partnerships to
2 conduct hazardous fuels management activities in
3 the wildland-urban interface;

4 (5) providing technical and financial assistance
5 targeted towards communities, including tribal com-
6 munities, through streamlined and unified technical
7 assistance and grant management mechanisms, in-
8 cluding the portal and grant application established
9 under subsection (c), to—

10 (A) encourage critical risk reduction meas-
11 ures on private property with high wildfire risk
12 exposure in such communities; and

13 (B) mitigate costs for and improve capac-
14 ity among such communities.

15 (c) PORTAL AND UNIFORM GRANT APPLICATION.—

16 (1) IN GENERAL.—As part of the program es-
17 tablished under subsection (a), the Secretaries and
18 the Administrator of the Federal Emergency Man-
19 agement Agency shall establish a portal through
20 which a person may submit a single, uniform appli-
21 cation for any of the following:

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

1 (B) An emergency management perform-
2 ance grant under section 662 of the Post-
3 Katrina Emergency Management Reform Act of
4 2006 (6 U.S.C. 761).

5 (C) A grant under section 33 of the Fed-
6 eral Fire Prevention and Control Act of 1974
7 (15 U.S.C. 2229).

8 (D) A grant under section 34 of the Fed-
9 eral Fire Prevention and Control Act of 1974
10 (15 U.S.C. 2229a).

11 (E) Financial or technical assistance or a
12 grant under sections 203, 205, 404, 406, or
13 420 of the Robert T. Stafford Disaster Relief
14 and Emergency Assistance Act (42 U.S.C.
15 5133, 5135, 5170c, 5172, 5187).

16 (2) SIMPLIFICATION OF APPLICATION.—In es-
17 tablishing the portal and application under para-
18 graph (1), the Secretaries and the Administrator
19 shall seek to reduce the complexity and length of the
20 application process for the grants described in para-
21 graph (1).

22 (3) TECHNICAL ASSISTANCE.—The Secretaries
23 shall provide technical assistance to communities or
24 persons seeking to apply for financial assistance

1 through the portal using the application established
2 under paragraph (1).

3 (d) SUNSET.—The program established under this
4 section shall terminate on the date that is 7 years after
5 the date of enactment of this Act.

6 **SEC. 202. COMMUNITY WILDFIRE DEFENSE RESEARCH PRO-**
7 **GRAM.**

8 (a) IN GENERAL.—The Secretaries shall, acting
9 jointly, expand the Joint Fire Science Program to include
10 a performance-driven research and development program
11 known as the “Community Wildfire Defense Research
12 Program” for the purpose of testing and advancing inno-
13 vative designs to create or improve the wildfire-resistance
14 of structures and communities.

15 (b) PROGRAM PRIORITIES.—In carrying out the pro-
16 gram established under subsection (a), the Secretaries
17 shall evaluate opportunities to create wildfire-resistant
18 structures and communities through—

19 (1) different affordable building materials, in-
20 cluding mass timber;

21 (2) home hardening, including policies to
22 incentivize and incorporate defensible space;

23 (3) subdivision design and other land use plan-
24 ning and design;

25 (4) landscape architecture; and

1 (5) other wildfire-resistant designs, as deter-
2 mined by the Secretary.

3 (c) COMMUNITY WILDFIRE DEFENSE INNOVATION
4 PRIZE.—

5 (1) IN GENERAL.—In carrying out the program
6 established under subsection (a), the Secretaries
7 shall carry out a competition through which a person
8 may submit to the Secretaries innovative designs for
9 the creation or improvement of an ignition-resistant
10 structure or fire-adapted communities.

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

17 (3) SCALE.—In awarding a prize under para-
18 graph (2), the Secretaries shall prioritize for an
19 award designs with the most potential to scale to ex-
20 isting infrastructure.

21 (d) COLLABORATION AND NONDUPLICATION.—In
22 carrying out the program established under subsection (a),
23 the Secretaries shall ensure collaboration and nonduplica-
24 tion of activities with the Building Technologies Office of
25 the Department of Energy.

1 (e) SUNSET.—The program established under sub-
2 section (a) shall terminate on the date that is 7 years after
3 the date of enactment of this Act.

4 **SEC. 203. 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)(ii) of the Federal
10 Land Policy and Management Act of 1976 (43 U.S.C.
11 1772(a)(1)(B)(ii)) is amended by striking “10” and in-
12 serting “150”.

13 (b) CONSULTATION WITH PRIVATE LANDOWNERS.—
14 Section 512(e)(3)(E) of such Act (43 U.S.C.
15 1772(e)(3)(E)) is amended—

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

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

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

20 “(iii) consulting with a private land-
21 owner with respect to any hazard trees
22 identified for removal from land owned by
23 the private landowner.”.

1 (c) REVIEW AND APPROVAL PROCESS.—Section
2 512(c)(4)(A)(iv) of such Act (43 U.S.C.
3 1772(c)(4)(A)(iv)) is amended to read as follows:

4 “(iv) ensures that—

5 “(I) a plan submitted without a
6 modification under clause (iii) shall be
7 automatically approved 120 days after
8 being submitted; and

9 “(II) with respect to a plan sub-
10 mitted with a modification under
11 clause (iii), if not approved within 120
12 days after being submitted, the Sec-
13 retary concerned shall develop and
14 submit a letter to the owner and oper-
15 ator describing—

16 “(aa) a detailed timeline (to
17 conclude within 165 days after
18 the submission of the plan) for
19 completing review of the plan;

20 “(bb) any identified defi-
21 ciencies with the plan and spe-
22 cific opportunities for the owner
23 and operator to address such de-
24 ficiencies; and

1 “(cc) any other relevant in-
2 formation, as determined by the
3 Secretary concerned.”.

4 **SEC. 204. CATEGORICAL EXCLUSION FOR ELECTRIC UTIL-**
5 **ITY LINES RIGHTS-OF-WAY.**

6 (a) CATEGORICAL EXCLUSION ESTABLISHED.—For-
7 est management activities described in subsection (b) are
8 a category of activities hereby designated as being cat-
9 egorically excluded from the preparation of an environ-
10 mental assessment or an environmental impact statement
11 under section 102 of the National Environmental Policy
12 Act of 1969 (42 U.S.C. 4332).

13 (b) FOREST MANAGEMENT ACTIVITIES DESIGNATED
14 FOR CATEGORICAL EXCLUSION.—The forest management
15 activities designated under subsection (a) for a categorical
16 exclusion are—

17 (1) the development and approval of a vegeta-
18 tion management, facility inspection, and operation
19 and maintenance plan submitted under section
20 512(c)(1) of the Federal Land Policy and Manage-
21 ment Act of 1976 (43 U.S.C. 1772(c)(1)) by the
22 Secretary concerned; and

23 (2) the implementation of routine activities con-
24 ducted under the plan referred to in paragraph (1).

1 (c) AVAILABILITY OF CATEGORICAL EXCLUSION.—
2 On and after the date of enactment of this Act, the Sec-
3 retary concerned may use the categorical exclusion estab-
4 lished under subsection (a) in accordance with this section.

5 (d) EXCLUSION OF CERTAIN AREAS FROM CATEGOR-
6 ICAL EXCLUSION.—The categorical exclusion established
7 under subsection (a) shall not apply to any forest manage-
8 ment activity conducted—

9 (1) in a component of the National Wilderness
10 Preservation System; or

11 (2) on National Forest System lands on which
12 the removal of vegetation is restricted or prohibited
13 by an Act of Congress.

14 (e) PERMANENT ROADS.—

15 (1) PROHIBITION ON ESTABLISHMENT.—A for-
16 est management activity designated under subsection
17 (b) shall not include the establishment of a perma-
18 nent road.

19 (2) EXISTING ROADS.—The Secretary con-
20 cerned may carry out necessary maintenance and re-
21 pair on an existing permanent road for the purposes
22 of conducting a forest management activity des-
23 igned under subsection (b).

24 (3) TEMPORARY ROADS.—The Secretary con-
25 cerned shall decommission any temporary road con-

1 structured for carrying out a forest management activ-
2 ity designated under subsection (b) not later than
3 the date that is 3 years after the date on which the
4 forest management activity is completed.

5 (f) APPLICABLE LAWS.—Clauses (iii) and (iv) of sec-
6 tion 106(a)(3) shall apply to forest management activities
7 designated under subsection (b).

8 **SEC. 205. SEEDS OF SUCCESS.**

9 (a) STRATEGY ESTABLISHED.—Not later than 2
10 years after the date of enactment of this Act, the Secre-
11 taries and the Secretary of Defense shall jointly develop
12 and implement a strategy, to be known as the “Seeds of
13 Success strategy”, to enhance the domestic supply chain
14 of seeds.

15 (b) ELEMENTS.—The strategy required under sub-
16 section (a) shall include a plan for each of the following:

17 (1) Facilitating sustained interagency coordina-
18 tion in, and a comprehensive approach to, native
19 plant materials development and restoration.

20 (2) Promoting the re-seeding of native or fire-
21 resistant vegetation post-wildfire, particularly in the
22 wildland-urban interface.

23 (3) Creating and consolidating information on
24 native or fire-resistant vegetation and sharing such

1 information with State governments, Indian Tribes,
2 and local governments.

3 (4) Building regional programs and partner-
4 ships to promote the development of materials made
5 from plants native to the United States and restore
6 such plants to their respective, native habitats within
7 the United States, giving priority to the building of
8 such programs and partnerships in regions of the
9 Bureau of Land Management where such partner-
10 ships and programs do not already exist as of the
11 date of enactment of this Act.

12 (5) Expanding seed storage and seed-cleaning
13 infrastructure.

14 (6) Expanding the Warehouse System of the
15 Bureau of Land Management, particularly the cold
16 storage capacity of the Warehouse System.

17 (7) Shortening the timeline for the approval of
18 permits to collect seeds on public lands managed by
19 the Bureau of Land Management.

20 (c) REPORT.—The Secretaries and the Secretary of
21 Defense shall submit to the relevant Congressional Com-
22 mittees the strategy developed under paragraph (1).

1 **SEC. 206. PROGRAM TO SUPPORT PRIORITY REFOREST-**
2 **ATION AND RESTORATION PROJECTS OF DE-**
3 **PARTMENT OF THE INTERIOR.**

4 (a) **IN GENERAL.**—Not later than 1 year after the
5 date of enactment of this Act, the Secretary of the Inte-
6 rior, in coordination with the heads of covered Federal
7 agencies, shall establish a program to provide support for
8 priority projects identified under subsection (c)(2), in ac-
9 cordance with this section.

10 (b) **SUPPORT.**—In carrying out the program under
11 subsection (a), the Secretary may provide support
12 through—

13 (1) cooperative agreements entered into in ac-
14 cordance with processes established by the Sec-
15 retary; and

16 (2) contracts, including contracts established
17 pursuant to the Indian Self-Determination and Edu-
18 cation Assistance Act (25 U.S.C. 5301 et seq.).

19 (c) **ANNUAL IDENTIFICATION OF PRIORITY**
20 **PROJECTS.**—Not later than 1 year after the date of enact-
21 ment of this Act and annually thereafter, the Secretary
22 of the Interior, in consultation with the heads of covered
23 Federal agencies, shall—

24 (1) identify lands of the United States adminis-
25 tered by, or under the jurisdiction of, the Secretary
26 of the Interior that require reforestation and res-

1 toration due to unplanned disturbances and that are
2 unlikely to experience natural regeneration without
3 assistance; and

4 (2) establish a list of priority projects for refor-
5 estation and restoration for the upcoming year,
6 which may include activities to ensure adequate and
7 appropriate seed and seedling availability to further
8 the objectives of other priority projects.

9 (d) CONSULTATION.—In carrying out the program
10 under subsection (a) and the requirements under sub-
11 section (c), the Secretary shall consult or collaborate with,
12 as appropriate, and inform the following:

13 (1) State and local governments.

14 (2) Indian Tribes.

15 (3) Covered institutions of higher education.

16 (4) Federal agencies that administer lands of
17 the United States that adjoin or are proximal to
18 lands that are the subject of priority projects and
19 potential priority projects.

20 (5) Other stakeholders, as determined by the
21 Secretary.

22 (e) ANNUAL REPORT.—Not later than 2 years after
23 the date of enactment of this Act, and annually thereafter,
24 the Secretary of the Interior shall submit to the relevant

1 Congressional Committees a report that includes the fol-
2 lowing:

3 (1) An accounting of all lands identified under
4 subsection (c)(1) for the period covered by the re-
5 port.

6 (2) A list of priority projects identified under
7 subsection (c)(2) for the period covered by the re-
8 port and, with respect to each such priority project,
9 any support issued under the program under sub-
10 section (a) and any progress made towards reforest-
11 ation and restoration.

12 (3) An accounting of each contract and cooper-
13 ative agreement established under the program
14 under subsection (a).

15 (4) A description of the actions taken in accord-
16 ance with subsection (d).

17 (5) Assessments with respect to—

18 (A) gaps in—

19 (i) the implementation of the program
20 under subsection (a); and

21 (ii) the progress made under the pro-
22 gram with respect to priority projects; and

23 (B) opportunities to procure funding nec-
24 essary to address any such gaps.

1 (f) NONDUPLICATION.—In carrying out this section,
2 the Secretary of the Interior shall collaborate with the Sec-
3 retary and the Secretary of Defense to ensure the non-
4 duplication of activities carried out under section 205.

5 (g) SUNSET.—The authority provided under this sec-
6 tion shall terminate on the date that is 7 years after the
7 date of enactment of this Act.

8 (h) DEFINITIONS.—In this section:

9 (1) COVERED FEDERAL AGENCY.—The term
10 “covered Federal agency” means the National Park
11 Service, the United States Fish and Wildlife Service,
12 the Bureau of Land Management, the Bureau of
13 Reclamation, or the Bureau of Indian Affairs.

14 (2) COVERED INSTITUTION OF HIGHER EDU-
15 CATION.—The term “covered institution of higher
16 education” has the meaning given the term “eligible
17 institution” in section 301(e)(3).

18 (3) NATURAL REGENERATION; REFOREST-
19 ATION.—The terms “natural regeneration” and “re-
20 forestation” have the meanings given such terms in
21 section 3(e)(4)(A) of the Forest and Rangeland Re-
22 newable Resources Planning Act of 1974 (16 U.S.C.
23 1601(3)(4)(A)).

24 (4) RESTORATION.—The term “restoration”
25 means activities that facilitate the recovery of an

1 ecosystem that has been degraded, damaged, or de-
2 stroyed, including the reestablishment of appropriate
3 plant species composition and community structure.

4 (5) UNPLANNED ECOSYSTEM DISTURBANCE.—
5 The term “unplanned ecosystem disturbance” means
6 any unplanned disturbance that disrupts the struc-
7 ture or composition of an ecosystem, including a
8 wildfire, an infestation of insects or disease, and a
9 weather event.

10 **SEC. 207. FIRE DEPARTMENT REPAYMENT.**

11 (a) ESTABLISHMENT OF STANDARD OPERATING
12 PROCEDURES.—Not later than 1 year after the date of
13 the enactment of this section, the Secretaries shall—

14 (1) establish standard operating procedures re-
15 lating to payment timelines for fire suppression cost
16 share agreements established under the Act of May
17 27, 1955 (42 U.S.C. 1856a) (commonly known as
18 the “Reciprocal Fire Protection Act”); and

19 (2) with respect to each fire suppression cost
20 share agreement in operation on such date—

21 (A) review each such agreement; and

22 (B) modify each agreement as necessary to
23 comply with the standard operating procedures
24 required under paragraph (1).

1 (b) ALIGNMENT OF FIRE SUPPRESSION COST SHARE
2 AGREEMENTS WITH COOPERATIVE FIRE PROTECTION
3 AGREEMENTS.—The standard operating procedures re-
4 quired under subsection (a)(1) shall include a requirement
5 that each fire suppression cost share agreement be aligned
6 with each of the cooperative fire protection agreements ap-
7 plicable to the entity subject to such fire suppression cost
8 share agreement.

9 (c) PAYMENTS PURSUANT TO COST SHARE AGREE-
10 MENTS.—With respect to payments made pursuant to fire
11 suppression cost share agreements, the standard operating
12 procedures required under subsection (a)(1) shall require
13 that the Federal paying entity reimburse a local fire de-
14 partment if such fire department submits an invoice in
15 accordance with cost settlement procedures.

16 (d) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that the Secretaries should carry out reciprocal fire
18 suppression cost share agreement repayments to local fire
19 suppression organizations as soon as practicable after fire
20 suppression occurs but not later than 1 year after fire sup-
21 pression occurs.

1 **TITLE III—TRANSPARENCY,**
2 **TECHNOLOGY, AND PARTNER-**
3 **SHIPS**

4 **Subtitle A—Transparency and**
5 **Technology**

6 **SEC. 301. BIOCHAR INNOVATIONS AND OPPORTUNITIES**
7 **FOR CONSERVATION, HEALTH, AND AD-**
8 **VANCEMENTS IN RESEARCH.**

9 (a) DEMONSTRATION PROJECTS.—

10 (1) ESTABLISHMENT.—

11 (A) IN GENERAL.—Subject to the avail-
12 ability of appropriations made in advance for
13 such purpose, not later than 2 years after the
14 date of enactment of this Act, the covered Sec-
15 retaries shall establish a program to enter into
16 partnerships with eligible entities to carry out
17 demonstration projects to support the develop-
18 ment and commercialization of biochar in ac-
19 cordance with this subsection.

20 (B) LOCATION OF DEMONSTRATION
21 PROJECTS.—In carrying out the program estab-
22 lished under subparagraph (A), the covered
23 Secretaries shall, to the maximum extent prac-
24 ticable, enter into partnerships with eligible en-
25 tities such that not fewer than one demonstra-

1 tion project is carried out in each region of the
2 Forest Service and each region of the Bureau
3 of Land Management.

4 (2) PROPOSALS.—To be eligible to enter into a
5 partnership to carry out a biochar demonstration
6 project under paragraph (1)(A), an eligible entity
7 shall submit to the covered Secretaries a proposal at
8 such time, in such manner, and containing such in-
9 formation as the covered Secretaries may require.

10 (3) PRIORITY.—In selecting proposals under
11 paragraph (2), the covered Secretaries shall give pri-
12 ority to entering into partnerships with eligible enti-
13 ties that submit proposals to carry out biochar dem-
14 onstration projects that—

15 (A) have the most carbon sequestration po-
16 tential;

17 (B) have the most potential to create new
18 jobs and contribute to local economies, particu-
19 larly in rural areas;

20 (C) have the most potential to dem-
21 onstrate—

22 (i) new and innovative uses of biochar;

23 (ii) market viability for cost effective
24 biochar-based products;

1 (iii) the ecosystem services created or
2 supported by the use of biochar;

3 (iv) the restorative benefits of biochar
4 with respect to forest health and resiliency,
5 including forest soils and watersheds; or

6 (v) any combination of purposes speci-
7 fied in clauses (i) through (iv);

8 (D) are located in areas that have a high
9 need for biochar production, as determined by
10 the covered Secretaries, due to—

11 (i) nearby lands identified as having
12 high or very high or extreme risk of wild-
13 fire;

14 (ii) availability of sufficient quantities
15 of feedstocks; or

16 (iii) a high level of demand for
17 biochar or other commercial byproducts of
18 biochar; or

19 (E) satisfy any combination of purposes
20 specified in subparagraphs (A) through (D).

21 (4) USE OF FUNDS.—In carrying out the pro-
22 gram established under paragraph (1)(A), the cov-
23 ered Secretaries may enter into partnerships and
24 provide funding to such partnerships to carry out
25 demonstration projects to—

1 (A) acquire and test various feedstocks and
2 their efficacy;

3 (B) develop and optimize commercially and
4 technologically viable biochar production units,
5 including mobile and permanent units;

6 (C) demonstrate—

7 (i) the production of biochar from for-
8 est residue; and

9 (ii) the use of biochar to restore forest
10 health and resiliency;

11 (D) build, expand, or establish biochar fa-
12 cilities;

13 (E) conduct research on new and innova-
14 tive uses of biochar;

15 (F) demonstrate cost-effective market op-
16 portunities for biochar and biochar-based prod-
17 ucts;

18 (G) carry out any other activities the cov-
19 ered Secretaries determine appropriate; or

20 (H) any combination of the purposes speci-
21 fied in subparagraphs (A) through (F).

22 (5) FEEDSTOCK REQUIREMENTS.—To the max-
23 imum extent practicable, an eligible entity that car-
24 ries out a biochar demonstration project under this
25 subsection shall, with respect to the feedstock used

1 under such project, derive at least 50 percent of
2 such feedstock from forest thinning and manage-
3 ment activities, including mill residues, conducted on
4 National Forest System lands or public lands.

5 (6) REVIEW OF BIOCHAR DEMONSTRATION.—

6 (A) IN GENERAL.—The covered Secretaries
7 shall conduct regionally-specific research, in-
8 cluding economic analyses and life-cycle assess-
9 ments, on any biochar produced from a dem-
10 onstration project carried out under the pro-
11 gram established in paragraph (1)(A), includ-
12 ing—

13 (i) the effects of such biochar on—

14 (I) forest health and resiliency;

15 (II) carbon capture and seques-
16 tration, including increasing soil car-
17 bon in the short-term and long-term;

18 (III) productivity, reduced input
19 costs, and water retention in agricul-
20 tural practices;

21 (IV) the health of soil and grass-
22 lands used for grazing activities, in-
23 cluding grazing activities on National
24 Forest System land and public land;

1 (V) environmental remediation
2 activities, including abandoned mine
3 land remediation; and

4 (VI) other ecosystem services cre-
5 ated or supported by the use of
6 biochar;

7 (ii) the effectiveness of biochar as a
8 co-product of biofuels or in biochemicals;
9 and

10 (iii) the effectiveness of other poten-
11 tial uses of biochar to determine if any
12 such use is technologically and commer-
13 cially viable.

14 (B) COORDINATION.—The covered Secre-
15 taries shall, to the maximum extent practicable,
16 provide data, analyses, and other relevant infor-
17 mation collected under subparagraph (A) with
18 recipients of a grant under subsection (b).

19 (7) LIMITATION ON FUNDING FOR ESTAB-
20 LISHING BIOCHAR FACILITIES.—If the covered Sec-
21 retaries provide to an eligible entity that enters into
22 a partnership with the covered Secretaries under
23 paragraph (1)(A) funding for establishing a biochar
24 facility, such funding may not exceed 35 percent of

1 the total capital cost of establishing such biochar fa-
2 cility.

3 (b) 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 biochar
8 research and development grant program to make
9 competitive grants to eligible institutions to carry
10 out the activities described in paragraph (3).

11 (2) APPLICATIONS.—To be eligible to receive a
12 grant under this subsection, an eligible institution
13 shall submit to the Secretary a proposal at such
14 time, in such manner, and containing such informa-
15 tion as the Secretary may require.

16 (3) USE OF FUNDS.—An eligible institution
17 that receives a grant under this subsection shall use
18 the grant funds to conduct applied research on—

19 (A) the effect of biochar on forest health
20 and resiliency, accounting for variations in
21 biochar, soil, climate, and other factors;

22 (B) the effect of biochar on soil health and
23 water retention, accounting for variations in
24 biochar, soil, climate, and other factors;

1 (C) the long-term carbon sequestration po-
2 tential of biochar;

3 (D) the best management practices with
4 respect to biochar and biochar-based products
5 that maximize—

6 (i) carbon sequestration benefits; and

7 (ii) the commercial viability and appli-
8 cation of such products in forestry, agri-
9 culture, environmental remediation, water
10 quality improvement, and any other similar
11 uses, as determined by the Secretary;

12 (E) the regional uses of biochar to increase
13 productivity and profitability, including—

14 (i) uses in agriculture and environ-
15 mental remediation; and

16 (ii) use as a co-product in fuel produc-
17 tion;

18 (F) new and innovative uses for biochar
19 byproducts; and

20 (G) opportunities to expand markets for
21 biochar and create related jobs, particularly in
22 rural areas.

23 (c) REPORTS.—

24 (1) REPORT TO CONGRESS.—Not later than 2
25 years after the date of enactment of this Act, the

1 covered Secretaries shall submit to Congress a re-
2 port that—

3 (A) includes policy and program rec-
4 ommendations to improve the widespread use of
5 biochar;

6 (B) identifies any area of research needed
7 to advance biochar commercialization; and

8 (C) identifies barriers to further biochar
9 commercialization, including permitting and
10 siting considerations.

11 (2) MATERIALS SUBMITTED IN SUPPORT OF
12 THE PRESIDENT’S BUDGET.—Beginning with the
13 second fiscal year that begins after the date of en-
14 actment of this Act and annually thereafter until the
15 date described in subsection (d), the covered Secre-
16 taries shall include in the materials submitted to
17 Congress in support of the President’s budget pursu-
18 ant to section 1105 of title 31, United States Code,
19 a report describing, for the fiscal year covered by the
20 report, the status of each demonstration project car-
21 ried out under subsection (a) and each research and
22 development grant carried out under subsection (b).

23 (d) SUNSET.—The authority to carry out this section
24 shall terminate on the date that is 7 years after the date
25 of enactment of this Act.

1 (e) DEFINITIONS.—In this section:

2 (1) BIOCHAR.—The term “biochar” means car-
3 bonized biomass produced by converting feedstock
4 through reductive thermal processing for non-fuel
5 uses.

6 (2) ELIGIBLE ENTITY.—The term “eligible enti-
7 ty” means—

8 (A) a State, local, special district, or Tribal
9 government;

10 (B) an eligible institution;

11 (C) a private, non-private, or cooperative
12 entity or organization;

13 (D) a National Laboratory (as such term
14 is defined in section 2 of the Energy Policy Act
15 of 2005 (42 U.S.C. 15801)); or

16 (E) a partnership or consortium of two or
17 more entities described in subparagraphs (A)
18 through (D).

19 (3) ELIGIBLE INSTITUTION.—The term “eligi-
20 ble institution” means land-grant colleges and uni-
21 versities, including institutions eligible for funding
22 under the—

23 (A) Act of July 2, 1862 (12 Stat. 503,
24 chapter 130; 7 U.S.C. 301 et seq.);

1 (B) Act of August 30, 1890 (26 Stat. 417,
2 chapter 841; 7 U.S.C. 321 et seq.), including
3 Tuskegee University;

4 (C) Public Law 87–788 (commonly known
5 as the “McIntire-Stennis Act of 1962”); or

6 (D) Equity in Educational Land-Grant
7 Status Act of 1994 (7 U.S.C. 301 note; Public
8 Law 103–382).

9 (4) FEEDSTOCK.—The term “feedstock” means
10 excess biomass in the form of plant matter or mate-
11 rials that serves as the raw material for the produc-
12 tion of biochar.

13 (5) COVERED SECRETARIES.—The term “cov-
14 ered Secretaries” means—

15 (A) the Secretary, acting through the Chief
16 of the Forest Service;

17 (B) the Secretary of the Interior, acting
18 through the Director of the Bureau of Land
19 Management; and

20 (C) the Secretary of Energy, acting
21 through the Director of the Office of Science.

1 **SEC. 302. ACCURATE HAZARDOUS FUELS REDUCTION RE-**
2 **PORTS.**

3 (a) INCLUSION OF HAZARDOUS FUELS REDUCTION
4 REPORT IN MATERIALS SUBMITTED IN SUPPORT OF THE
5 PRESIDENT'S BUDGET.—

6 (1) IN GENERAL.—Beginning with the first fis-
7 cal year that begins after the date of enactment of
8 this Act, and each fiscal year thereafter, the Sec-
9 retary concerned shall include in the materials sub-
10 mitted to Congress in support of the President's
11 budget pursuant to section 1105 of title 31, United
12 States Code, a report on the number of acres of
13 Federal land on which the Secretary concerned car-
14 ried out hazardous fuels reduction activities during
15 the preceding fiscal year.

16 (2) REQUIREMENTS.—For purposes of the re-
17 port required under paragraph (1), the Secretary
18 concerned shall—

19 (A) in determining the number of acres of
20 Federal land on which the Secretary concerned
21 carried out hazardous fuels reduction activities
22 during the period covered by the report—

23 (i) record acres of Federal land on
24 which hazardous fuels reduction activities
25 were completed during such period; and

1 (ii) record each acre described in
2 clause (i) once in the report, regardless of
3 whether multiple hazardous fuels reduction
4 activities were carried out on such acre
5 during such period; and

6 (B) with respect to the acres of Federal
7 land recorded in the report, include information
8 on—

9 (i) which such acres are located in the
10 wildland-urban interface;

11 (ii) the level of wildfire risk (high,
12 moderate, or low) on the first and last day
13 of the period covered by the report;

14 (iii) the types of hazardous fuels ac-
15 tivities completed for such acres, delin-
16 eating between whether such activities
17 were conducted—

18 (I) in a wildfire managed for re-
19 source benefits; or

20 (II) through a planned project;

21 (iv) the cost per acre of hazardous
22 fuels activities carried out during the pe-
23 riod covered by the report;

24 (v) the region or system unit in which
25 the acres are located; and

1 (vi) the effectiveness of the hazardous
2 fuels reduction activities on reducing the
3 risk of wildfire.

4 (3) TRANSPARENCY.—The Secretary concerned
5 shall make each report submitted under paragraph
6 (1) publicly available on the websites of the Depart-
7 ment of Agriculture and the Department of the Inte-
8 rior, as applicable.

9 (b) ACCURATE DATA COLLECTION.—

10 (1) IN GENERAL.—Not later than 90 days after
11 the date of enactment of this Act, the Secretary con-
12 cerned shall implement standardized procedures for
13 tracking data related to hazardous fuels reduction
14 activities carried out by the Secretary concerned.

15 (2) ELEMENTS.—The standardized procedures
16 required under paragraph (1) shall include—

17 (A) regular, standardized data reviews of
18 the accuracy and timely input of data used to
19 track hazardous fuels reduction activities;

20 (B) verification methods that validate
21 whether such data accurately correlates to the
22 hazardous fuels reduction activities carried out
23 by the Secretary concerned;

1 (C) an analysis of the short- and long-term
2 effectiveness of the hazardous fuels reduction
3 activities on reducing the risk of wildfire; and

4 (D) for hazardous fuels reduction activities
5 that occur partially within the wildland-urban
6 interface, methods to distinguish which acres
7 are located within the wildland-urban interface
8 and which acres are located outside the
9 wildland-urban interface.

10 (3) REPORT.—Not later than 2 weeks after im-
11 plementing the standardized procedures required
12 under paragraph (1), the Secretary concerned shall
13 submit to Congress a report that describes—

14 (A) such standardized procedures; and

15 (B) program and policy recommendations
16 to Congress to address any limitations in track-
17 ing data related to hazardous fuels reduction
18 activities under this subsection.

19 (c) GAO STUDY.—Not later than 2 years after the
20 date of enactment of this Act, the Comptroller General
21 of the United States shall—

22 (1) conduct a study on the implementation of
23 this section, including any limitations with respect
24 to—

1 (A) reporting hazardous fuels reduction ac-
2 tivities under subsection (a); or

3 (B) tracking data related to hazardous
4 fuels reduction activities under subsection (b);
5 and

6 (2) submit to Congress a report that describes
7 the results of the study under paragraph (1).

8 (d) DEFINITIONS.—In this section:

9 (1) HAZARDOUS FUELS REDUCTION ACTIV-
10 ITY.—The term “hazardous fuels reduction activ-
11 ity”—

12 (A) means any vegetation management ac-
13 tivity to reduce the risk of wildfire, including
14 mechanical treatments, grazing, and prescribed
15 burning; and

16 (B) does not include the awarding of con-
17 tracts to conduct hazardous fuels reduction ac-
18 tivities.

19 (2) FEDERAL LANDS.—The term “Federal
20 lands” means lands under the jurisdiction of the
21 Secretary of the Interior or the Secretary.

22 (e) NO ADDITIONAL FUNDS AUTHORIZED.—No addi-
23 tional funds are authorized to carry out the requirements
24 of this section, and the activities authorized by this section

1 are subject to the availability of appropriations made in
2 advance for such purposes.

3 **SEC. 303. PUBLIC-PRIVATE WILDFIRE TECHNOLOGY DE-**
4 **PLOYMENT AND DEMONSTRATION PARTNER-**
5 **SHIP.**

6 (a) DEFINITIONS.—In this section:

7 (1) COVERED AGENCY.—The term “covered
8 agency” means—

9 (A) each Federal land management agency
10 (as such term is defined in the Federal Lands
11 Recreation Enhancement Act (16 U.S.C.
12 6801));

13 (B) the National Oceanic and Atmospheric
14 Administration;

15 (C) the United States Fire Administration;

16 (D) the Federal Emergency Management
17 Agency;

18 (E) the National Aeronautics and Space
19 Administration;

20 (F) the Bureau of Indian Affairs;

21 (G) the Department of Defense;

22 (H) a State, Tribal, county, or municipal
23 fire department or district operating through
24 the United States Fire Administration or pur-

1 suant to an agreement with a Federal agency;
2 and

3 (I) any other Federal agency involved in
4 wildfire response.

5 (2) COVERED ENTITY.—The term “covered en-
6 tity” means—

7 (A) a private entity;

8 (B) a nonprofit organization; or

9 (C) an institution of higher education (as
10 defined in section 101 of the Higher Education
11 Act of 1965 (20 U.S.C. 1001)).

12 (b) IN GENERAL.—Not later than 1 year after the
13 date of enactment of this Act, the Secretaries, in coordina-
14 tion with the heads of the covered agencies, shall establish
15 a deployment and demonstration pilot program (in this
16 section referred to as “Pilot Program”) for new and inno-
17 vative wildfire prevention, detection, communication, and
18 mitigation technologies.

19 (c) FUNCTIONS.—In carrying out the Pilot Program,
20 the Secretaries shall—

21 (1) incorporate the Pilot Program into the Na-
22 tional Wildfire Coordinating Group;

23 (2) in consultation with the heads of covered
24 agencies, identify and advance the demonstration
25 and deployment of key technology priority areas with

1 respect to wildfire prevention, detection, communica-
2 tion, and mitigation technologies, including—

3 (A) hazardous fuels reduction treatments
4 or activities;

5 (B) dispatch communications;

6 (C) remote sensing, detection, and track-
7 ing;

8 (D) safety equipment;

9 (E) common operating pictures or oper-
10 ational dashboards; and

11 (F) interoperable commercial data; and

12 (3) connect each covered entity selected to par-
13 ticipate in the Pilot Program with the appropriate
14 covered agency to coordinate real-time and on-the-
15 ground testing of technology during wildland fire
16 mitigation activities and training.

17 (d) APPLICATIONS.—To be eligible to be selected to
18 participate in the Pilot Program, a covered entity shall
19 submit to the Secretaries an application at such time, in
20 such manner, and containing such information as the Sec-
21 retaries may require, including a proposal to demonstrate
22 technologies specific to the key technology priority areas
23 identified pursuant to subsection (c)(2).

24 (e) PRIORITIZATION OF EMERGING TECH-
25 NOLOGIES.—In selecting covered entities to participate in

1 the Pilot Program, the Secretaries shall give priority to
2 covered entities—

3 (1) that have participated in the Fire Weather
4 Testbed of the National Oceanic and Atmospheric
5 Administration; or

6 (2) developing and applying emerging tech-
7 nologies for wildfire mitigation, including artificial
8 intelligence, quantum sensing, computing and quan-
9 tum-hybrid applications, thermal mid-wave infrared
10 equipped low earth orbit satellites, augmented re-
11 ality, 5G private networks, and device-to-device com-
12 munications supporting nomadic mesh networks and
13 detection.

14 (f) OUTREACH.—The Secretaries, in coordination
15 with the heads of covered agencies, shall make public the
16 key technology priority areas identified pursuant to sub-
17 section (c)(2) and invite covered entities to apply under
18 subsection (d) to deploy and demonstrate their tech-
19 nologies to address such priority areas.

20 (g) REPORTS AND RECOMMENDATIONS.—Not later
21 than 1 year after the date of enactment of this Act, and
22 annually thereafter for the duration of the Pilot Program,
23 the Secretaries shall submit to the relevant Congressional
24 Committees, the Committee on Science, Space, and Tech-
25 nology of the House of Representatives, and the Com-

1 mittee on Commerce, Science, and Transportation of the
2 Senate a report that includes, with respect to the Pilot
3 Program, the following:

4 (1) A list of participating covered entities.

5 (2) A brief description of the technologies de-
6 ployed and demonstrated by each such covered enti-
7 ty.

8 (3) An estimate of the cost of acquiring each
9 such technology and applying the technology at
10 scale.

11 (4) Outreach efforts by Federal agencies to cov-
12 ered entities developing wildfire technologies.

13 (5) Assessments of, and recommendations relat-
14 ing to, new technologies with potential adoption and
15 application at-scale in Federal land management
16 agencies' wildfire prevention, detection, communica-
17 tion, and mitigation efforts.

18 (6) A description of the relationship and coordi-
19 nation between the Pilot Program and the activities
20 of the National Oceanic and Atmospheric Adminis-
21 tration, including the Fire Weather Testbed.

22 (h) SUNSET.—The authority to carry out this section
23 shall terminate on the date that is 7 years after the date
24 of enactment of this Act.

1 **SEC. 304. GAO STUDY ON FOREST SERVICE POLICIES.**

2 Not later than 3 years after the date of enactment
3 of this Act, the Comptroller General of the United States
4 shall—

5 (1) conduct a study evaluating—

6 (A) the effectiveness of Forest Service
7 wildland firefighting operations;

8 (B) transparency and accountability meas-
9 ures in the Forest Service's budget and ac-
10 counting process; and

11 (C) the suitability and feasibility of estab-
12 lishing a new Federal agency with the responsi-
13 bility of responding and suppressing wildland
14 fires on Federal lands; and

15 (2) submit to Congress a report that describes
16 the results of the study required under paragraph
17 (1).

18 **SEC. 305. FOREST SERVICE WESTERN HEADQUARTERS**
19 **STUDY.**

20 Not later than 5 years after the date of enactment
21 of this Act, the Chief of the Forest Service shall—

22 (1) conduct a study evaluating—

23 (A) potential locations for a Western head-
24 quarters for the Forest Service, including po-
25 tential locations in at least 3 different States lo-
26 cated west of the Mississippi river; and

1 (B) the potential benefits of creating a
2 Western headquarters for the Forest Service,
3 including expected—

4 (i) improvements to customer service;

5 (ii) improvements to employee recruit-
6 ment and retention; and

7 (iii) operational efficiencies and cost
8 savings; and

9 (2) submit to Congress a report that describes
10 the results of the study required under paragraph
11 (1).

12 **SEC. 306. KEEPING FOREST PLANS CURRENT AND MON-**
13 **ITORED.**

14 (a) IN GENERAL.—The Secretary—

15 (1) to the greatest extent practicable and sub-
16 ject to the availability of appropriations made in ad-
17 vance for such purpose—

18 (A) ensure forest plans comply with the re-
19 quirements of section 6(f)(5)(A) of the Forest
20 and Rangeland Resources Planning Act of 1974
21 (16 U.S.C. 1604(f)(5)(A)); and

22 (B) prioritize revising any forest plan not
23 in compliance with such section 6(f)(5)(A);

24 (2) not be considered to be in violation of sec-
25 tion 6(f)(5)(A) of the Forest and Rangeland Renew-

1 able Resources Planning Act of 1974 (16 U.S.C.
2 1604(f)(5)(A)) solely because more than 15 years
3 have passed without revision of the plan for a unit
4 of the National Forest System;

5 (3) not later than 120 days after the date of
6 the enactment of this Act, submit to the relevant
7 Congressional Committees the date on which each
8 forest plan required by such section 6 was most re-
9 cently revised, amended, or modified;

10 (4) seek to publish a new, complete version of
11 a forest plan that the Secretary has been directed to
12 amend, revise, or modify by a court order within 60
13 days of such amendment, revision, or modification,
14 subject to the availability of appropriations made in
15 advance for such purpose; and

16 (5) maintain a central, publicly accessible
17 website with links to—

18 (A) the most recently available forest plan
19 adopted, amended, or modified by a court order
20 as a single document; and

21 (B) the most recently published forest plan
22 monitoring report for each unit of the National
23 Forest System.

24 (b) GOOD FAITH UPDATES.—If the Secretary is not
25 acting expeditiously and in good faith, within the funding

1 available to revise, amend, or modify a plan for a unit
2 of the National Forest System as required by law or a
3 court order, subsection (a) shall be void with respect to
4 such plan and a court of proper jurisdiction may order
5 completion of the plan on an accelerated basis.

6 (c) REPORT.—Not later than 1 year after the date
7 of the enactment of this Act, the Secretary shall submit
8 a report to the relevant Congressional Committees sum-
9 marizing the implementation of this section.

10 **SEC. 307. CONTAINER AERIAL FIREFIGHTING SYSTEM**
11 **(CAFFS).**

12 (a) EVALUATION.—Not later than 90 days after the
13 date of the enactment of this Act, the Secretary and the
14 Secretary of the Interior, in consultation with the National
15 Interagency Aviation Committee and the Interagency
16 Airtanker Board, shall jointly conduct an evaluation of the
17 container aerial firefighting system to assess the use of
18 such system to mitigate and suppress wildfires.

19 (b) REPORT.—Not later than 120 days after the date
20 of the enactment of this Act, the Secretary and the Sec-
21 retary of the Interior, in consultation with the National
22 Interagency Aviation Committee and the Interagency
23 Airtanker Board, shall jointly submit to the relevant Con-
24 gressional Committees a report that includes the results
25 of the evaluation required under subsection (a).

1 **SEC. 308. STUDY ON PINE BEETLE INFESTATION.**

2 Not later than 1 year after the date of the enactment
3 of this Act, the Secretary, acting through the Chief of the
4 Forest Service, shall—

5 (1) carry out a study on the causes and effects
6 of, and solutions for, the infestation of pine beetles
7 in the Northeastern region of the United States; and

8 (2) submit to the relevant Congressional Com-
9 mittees a report that includes the results of the
10 study required under paragraph (1).

11 **Subtitle B—White Oak Resilience**

12 **SEC. 311. WHITE OAK RESTORATION INITIATIVE COALI-**
13 **TION.**

14 (a) IN GENERAL.—The White Oak Restoration Ini-
15 tiative Coalition shall be established—

16 (1) as a voluntary collaborative group of Fed-
17 eral, State, Tribal, and local governments and pri-
18 vate and non-governmental organizations to carry
19 out the duties described in subsection (b); and

20 (2) in accordance with the charter titled “White
21 Oak Initiative Coalition Charter” adopted by the
22 White Oak Initiative Board of Directors on March
23 21, 2023 (or a successor charter).

24 (b) DUTIES.—In addition to the duties specified in
25 the charter described in subsection (a)(2), the duties of
26 the White Oak Restoration Initiative Coalition are—

1 (1) to coordinate Federal, State, Tribal, local,
2 private, and non-governmental restoration of white
3 oak in the United States; and

4 (2) to make program and policy recommenda-
5 tions, consistent with applicable forest management
6 plans, with respect to—

7 (A) changes necessary to address Federal
8 and State policies that impede activities to im-
9 prove the health, resiliency, and natural regen-
10 eration of white oak;

11 (B) adopting or modifying Federal and
12 State policies to increase the pace and scale of
13 white oak regeneration and resiliency of white
14 oak;

15 (C) options to enhance communication, co-
16 ordination, and collaboration between forest
17 land owners, particularly for cross-boundary
18 projects, to improve the health, resiliency, and
19 natural regeneration of white oak;

20 (D) research gaps that should be ad-
21 dressed to improve the best available science on
22 white oak;

23 (E) outreach to forest landowners with
24 white oak or white oak regeneration potential;
25 and

1 (F) options and policies necessary to im-
2 prove the quality and quantity of white oak in
3 tree nurseries.

4 (c) ADMINISTRATIVE SUPPORT, TECHNICAL SERV-
5 ICES, AND STAFF SUPPORT.—The Secretary of the Inte-
6 rior and the Secretary shall make such personnel available
7 to the White Oak Restoration Initiative Coalition for ad-
8 ministrative support, technical services, and development
9 and dissemination of educational materials as the Secre-
10 taries determine necessary to carry out this section.

11 (d) PRIVATE FUNDING OF WHITE OAK RESTORA-
12 TION PROJECTS.—Subject to the availability of appropria-
13 tions made in advance for such purpose, the Secretary
14 may make funds available to the White Oak Restoration
15 Initiative Coalition to carry out this section from the ac-
16 count established pursuant to section 1241(f) of the Food
17 Security Act of 1985 (16 U.S.C. 3841(f)).

18 **SEC. 312. FOREST SERVICE PILOT PROGRAM.**

19 (a) IN GENERAL.—The Secretary, acting through the
20 Chief of the Forest Service, shall establish and carry out
21 5 pilot projects in national forests to restore white oak
22 in such forests through white oak restoration and natural
23 regeneration practices that are consistent with applicable
24 forest management plans.

1 (b) NATIONAL FORESTS RESERVED OR WITHDRAWN
2 FROM THE PUBLIC DOMAIN.—At least 3 pilot projects re-
3 quired under subsection (a) shall be carried out on na-
4 tional forests reserved or withdrawn from the public do-
5 main.

6 (c) AUTHORITY TO ENTER INTO COOPERATIVE
7 AGREEMENTS.—The Secretary may enter into cooperative
8 agreements to carry out the pilot projects required under
9 subsection (a).

10 (d) SUNSET.—The authority under this section shall
11 terminate on the date that is 7 years after the date of
12 the enactment of this Act.

13 **SEC. 313. DEPARTMENT OF THE INTERIOR WHITE OAK RE-**
14 **VIEW AND RESTORATION.**

15 (a) ASSESSMENT.—

16 (1) IN GENERAL.—The Secretary of the Inte-
17 rior shall carry out an assessment of land under the
18 administrative jurisdiction of the Department of the
19 Interior, including fish and wildlife refuges and
20 abandoned mine land, to evaluate—

21 (A) whether white oak is present on such
22 land; and

23 (B) the potential to restore white oak for-
24 ests on such land.

1 (2) USE OF INFORMATION.—In carrying out the
2 assessment under paragraph (1), the Secretary may
3 use information from sources other than the Depart-
4 ment of the Interior, including from the White Oak
5 Initiative and the Forest Service.

6 (3) REPORT.—Not later than 90 days after the
7 date of the enactment of this section, the Secretary
8 shall submit to Congress, and make publicly avail-
9 able on the website of the Department of the Inte-
10 rior, a report regarding the results of the assessment
11 carried out under this subsection.

12 (b) PILOT PROJECTS.—After the date on which the
13 report required under subsection (a)(3) is submitted, the
14 Secretary shall establish and carry out 5 pilot projects in
15 different areas of land described in subsection (a)(1) to
16 restore and naturally regenerate white oak.

17 (c) AUTHORITY TO ENTER INTO COOPERATIVE
18 AGREEMENTS.—The Secretary of the Interior may enter
19 into cooperative agreements to carry out the pilot projects
20 required under subsection (b).

21 (d) SUNSET.—The authority under this section shall
22 terminate on the date that is 7 years after the date of
23 the enactment 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 the enactment of this Act, the Secretary shall
5 establish a non-regulatory program to be known as the
6 “White Oak and Upland Oak Habitat Regeneration Pro-
7 gram” (in this section referred to as the “Program”).

8 (b) DUTIES.—In carrying out the Program, the Sec-
9 retary shall—

10 (1) draw upon the best available science and
11 management plans for species of white oak to iden-
12 tify, prioritize, and implement restoration and con-
13 servation activities that will improve the growth of
14 white oak within the United States;

15 (2) collaborate and coordinate with the White
16 Oak Restoration Initiative Coalition to prioritize
17 white oak restoration initiatives;

18 (3) adopt a white oak restoration strategy
19 that—

20 (A) supports the implementation of a
21 shared set of science-based restoration and con-
22 servation activities developed in accordance with
23 paragraph (1);

24 (B) targets cost effective projects with
25 measurable results; and

1 (C) maximizes restoration outcomes with
2 no net gain of Federal full-time equivalent em-
3 ployees; and

4 (4) establish the voluntary grant and technical
5 assistance programs in accordance with subsection
6 (e).

7 (c) COORDINATION.—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; and

15 (2) the Governor of each State in which res-
16 toration efforts will be carried out pursuant to the
17 Program.

18 (d) PURPOSES.—The purposes of the Program in-
19 clude—

20 (1) coordinating restoration and conservation
21 activities among Federal, State, local, and Tribal en-
22 tities and conservation partners to address white oak
23 restoration priorities;

1 (2) improving and regenerating white oak and
2 upland oak forests and the wildlife habitat such for-
3 ests provide;

4 (3) carrying out coordinated restoration and
5 conservation activities that lead to the increased
6 growth of species of white oak in native white oak
7 regions on Federal, State, Tribal, and private land;

8 (4) facilitating strategic planning to maximize
9 the resilience of white oak systems and habitats
10 under changing climate conditions;

11 (5) engaging the public through outreach, edu-
12 cation, and citizen involvement to increase capacity
13 and support for coordinated restoration and con-
14 servation activities for species of white oak; and

15 (6) increasing scientific capacity to support the
16 planning, monitoring, and research activities nec-
17 essary to carry out such coordinated restoration and
18 conservation activities.

19 (e) GRANTS AND ASSISTANCE.—

20 (1) IN GENERAL.—To the extent that funds are
21 available to carry out this section, the Secretary
22 shall establish a voluntary grant and technical as-
23 sistance program (in this section referred to as the
24 “grant program”) to achieve the purposes of the
25 Program described in subsection (d).

1 (2) ADMINISTRATION.—

2 (A) IN GENERAL.—The Secretary shall
3 enter into a cooperative agreement with the Na-
4 tional Fish and Wildlife Foundation (in this
5 subsection referred to as the “Foundation”) to
6 manage and administer the grant program.

7 (B) FUNDING.—Subject to the availability
8 of appropriations made in advance for such
9 purpose, after the Secretary enters into a coop-
10 erative agreement with the Foundation under
11 subparagraph (A), the Foundation shall for
12 each fiscal year, receive amounts to carry out
13 this subsection in an advance payment of the
14 entire amount on October 1, or as soon as prac-
15 ticable thereafter, of that fiscal year.

16 (3) APPLICATION OF NATIONAL FISH AND
17 WILDLIFE FOUNDATION ESTABLISHMENT ACT.—
18 Amounts received by the Foundation to carry out
19 the grant program shall be subject to the National
20 Fish and Wildlife Foundation Establishment Act (16
21 U.S.C. 3701 et seq.), excluding section 10(a) of that
22 Act (16 U.S.C. 3709(a)).

23 (f) SUNSET.—The authority under this section shall
24 terminate on the date that is 7 years after the date of
25 the enactment of this Act.

1 **SEC. 315. TREE NURSERY SHORTAGES.**

2 (a) IN GENERAL.—Not later than 1 year after the
3 date of the enactment of this section, the Secretary, acting
4 through the Chief of the Forest Service, shall—

5 (1) develop and implement a national strategy
6 to increase the capacity of Federal, State, Tribal,
7 and private tree nurseries to address the nationwide
8 shortage of tree seedlings; and

9 (2) coordinate such strategy with—

10 (A) the national reforestation strategy of
11 the Forest Service; and

12 (B) each regional implementation plan for
13 National Forests.

14 (b) ELEMENTS.—The strategy required under sub-
15 section (a) shall—

16 (1) be based on the best available science and
17 data; and

18 (2) identify and address—

19 (A) regional seedling shortages of bareroot
20 and container tree seedlings;

21 (B) regional reforestation opportunities
22 and the seedling supply necessary to fulfill such
23 opportunities;

24 (C) opportunities to enhance seedling di-
25 versity and close gaps in seed inventories; and

1 (D) barriers to expanding, enhancing, or
2 creating new infrastructure to increase nursery
3 capacity.

4 **SEC. 316. WHITE OAK RESEARCH.**

5 (a) IN GENERAL.—The Secretary may enter into a
6 memorandum of understanding with an Indian Tribe or
7 institution, including a covered land grant college, to col-
8 laboratively conduct research on—

9 (1) white oak genes with resistance or tolerance
10 to stress;

11 (2) white oak trees that exhibit vigor for the
12 purpose of increasing survival and growth;

13 (3) establishing a genetically diverse white oak
14 seeds bank capable of responding to stressors;

15 (4) providing a sustainable supply of white oak
16 seedlings and genetic resources;

17 (5) improved methods for aligning seed sources
18 with the future climate at planting sites;

19 (6) reforestation of white oak through natural
20 and artificial regeneration;

21 (7) improved methods for retaining and increas-
22 ing white oak trees in forests;

23 (8) improved methods for reforesting aban-
24 doned mine land sites; and

1 (9) economic and social aspects of white oak
2 forest management across land ownerships.

3 (b) CONSULT.—In carrying out the research under
4 subsection (a), the Indian Tribe or institution, including
5 a covered land grant college, that enters into the memo-
6 randum of understanding under such subsection may con-
7 sult with such States, nonprofit organizations, institutions
8 of higher education, and other scientific bodies, as the en-
9 tity subject to such memorandum determines appropriate.

10 (c) SUNSET.—The authority under this section shall
11 terminate on the date that is 7 years after the date of
12 the enactment of this Act.

13 (d) COVERED LAND GRANT COLLEGE DEFINED.—
14 In this section, the term “covered land grant college”
15 means an 1862 Institution, an 1890 Institution, or a 1994
16 Institution (as such terms are defined, respectively, in sec-
17 tion 2 of the Agricultural Research, Extension, and Edu-
18 cation Reform Act of 1998 (7 U.S.C. 7601)).

19 **SEC. 317. USDA FORMAL INITIATIVE.**

20 (a) IN GENERAL.—The Secretary, acting through the
21 Chief of the Natural Resources Conservation Service and
22 in coordination with the Chief of the Forest Service, shall
23 establish a formal initiative on white oak to—

24 (1) re-establish white oak forests where appro-
25 priate;

1 (2) improve management of existing white oak
2 forests to foster natural regeneration of white oak;

3 (3) provide technical assistance to private land-
4 owners to re-establish, improve management of, and
5 naturally regenerate white oak;

6 (4) improve and expand white oak nursery
7 stock; and

8 (5) adapt and improve white oak seedlings.

9 (b) SUNSET.—The authority under this section shall
10 terminate on the date that is 7 years after the date of
11 the enactment of this Act.

12 **SEC. 318. AUTHORITIES.**

13 To the maximum extent practicable, the Secretary of
14 the Interior and the Secretary shall use the authorities
15 provided under this title in combination with other au-
16 thorities to carry out projects, including—

17 (1) good neighbor agreements entered into
18 under section 8206 of the Agricultural Act of 2014
19 (16 U.S.C. 2113) (as amended by this Act); and

20 (2) stewardship contracting projects entered
21 into under section 604 of the Healthy Forests Res-
22 toration Act of 2003 (16 U.S.C. 6591) (as amended
23 by this Act).

1 **TITLE IV—ENSURING CASUALTY**
2 **ASSISTANCE FOR OUR FIRE-**
3 **FIGHTERS**

4 **SEC. 401. WILDLAND FIRE MANAGEMENT CASUALTY AS-**
5 **SISTANCE PROGRAM.**

6 (a) DEVELOPMENT OF PROGRAM.—Not later than 6
7 months after the date of the enactment of this Act, the
8 Secretary of the Interior shall develop a Wildland Fire
9 Management Casualty Assistance Program (referred to in
10 this section as the “Program”) to provide assistance to
11 the next-of-kin of—

- 12 (1) firefighters who, while in the line of duty,
13 suffer illness or are critically injured or killed; and
14 (2) wildland fire support personnel critically in-
15 jured or killed in the line of duty.

16 (b) ASPECTS OF PROGRAM.—The Program shall ad-
17 dress the following:

- 18 (1) The initial and any subsequent notifications
19 to the next-of-kin of firefighters or wildland fire sup-
20 port personnel who—

21 (A) are killed in the line of duty; or

22 (B) require hospitalization or treatment at
23 a medical facility due to a line-of-duty injury or
24 illness.

1 (2) The reimbursement of next-of-kin for ex-
2 penses associated with travel to visit firefighters or
3 wildland fire support personnel who—

4 (A) are killed in the line of duty; or

5 (B) require hospitalization or treatment at
6 a medical facility due to a line-of-duty injury or
7 illness.

8 (3) The qualifications, assignment, training, du-
9 ties, supervision, and accountability for the perform-
10 ance of casualty assistance responsibilities.

11 (4) The relief or transfer of casualty assistance
12 officers, including notification to survivors of critical
13 injury or illness in the line of duty and next-of-kin
14 of the reassignment of such officers to other duties.

15 (5) Centralized, short-term and long-term case
16 management procedures for casualty assistance, in-
17 cluding rapid access by survivors of firefighters or
18 wildland fire support personnel and casualty assist-
19 ance officers to expert case managers and coun-
20 selors.

21 (6) The provision, through a computer acces-
22 sible website and other means and at no cost to sur-
23 vivors and next-of-kin of firefighters or wildland fire
24 support personnel, of personalized, integrated infor-

1 mation on the benefits and financial assistance avail-
2 able to such survivors from the Federal Government.

3 (7) The provision of information to survivors
4 and next-of-kin of firefighters or wildland fire sup-
5 port personnel on mechanisms for registering com-
6 plaints about, or requests for, additional assistance
7 related to casualty assistance.

8 (8) Liaison with the Department of the Inte-
9 rior, the Department of Justice, and the Social Se-
10 curity Administration to ensure prompt and accurate
11 resolution of issues relating to benefits administered
12 by those agencies for survivors of firefighters or
13 wildland fire support personnel.

14 (9) Data collection, in consultation with the
15 United States Fire Administration and the National
16 Institute for Occupational Safety and Health, re-
17 garding the incidence and quality of casualty assist-
18 ance provided to survivors of firefighters or wildland
19 fire support personnel.

20 (c) LINE-OF-DUTY DEATH BENEFITS.—The Pro-
21 gram shall not affect existing authorities for Line-of-Duty
22 Death benefits for Federal firefighters and wildland fire
23 support personnel.

24 (d) NEXT-OF-KIN DEFINED.—In this section, the
25 term “next-of-kin” means a person or persons in the high-

1 est category of priority as determined by the following list
2 (categories appear in descending order of priority):

3 (1) Surviving legal spouse.

4 (2) Children (whether by current or prior mar-
5 riage) age 18 years or older in descending order of
6 precedence by age.

7 (3) Father or mother, unless custody has been
8 vested, by court order, in another (adoptive parent
9 takes precedence over natural parent).

10 (4) Siblings (whole or half) age 18 years or
11 older in descending order of precedence by age.

12 (5) Grandfather or grandmother.

13 (6) Any other relative (order of precedence to
14 be determined in accordance with the civil law of de-
15 scent of the deceased former member's State of
16 domicile at time of death).

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