

118TH CONGRESS
1ST SESSION

S. 188

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

IN THE SENATE OF THE UNITED STATES

JANUARY 31, 2023

Mrs. FEINSTEIN (for herself, Mr. PADILLA, Mr. DAINES, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

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

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Wildfire Emergency Act of 2023”.

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

Sec. 1. Short title; table of contents.

TITLE I—LANDSCAPE-SCALE FOREST RESTORATION

- Sec. 101. Definitions.
- Sec. 102. Purpose.
- Sec. 103. Conservation finance agreements.
- Sec. 104. Report evaluating implementation.

TITLE II—INCREASING COMMUNITY RESILIENCE TO WILDFIRE

- Sec. 201. Critical infrastructure and microgrid program.
- Sec. 202. Retrofits for fire-resilient communities.
- Sec. 203. Wildfire detection, monitoring, and analysis equipment.

TITLE III—RESEARCH, TRAINING, AND CAPACITY BUILDING

- Sec. 301. Western prescribed fire centers.
- Sec. 302. Innovative forest workforce development program.
- Sec. 303. National community capacity and land stewardship grant program.

1 **TITLE I—LANDSCAPE-SCALE**
 2 **FOREST RESTORATION**

3 **SEC. 101. DEFINITIONS.**

4 In this title:

5 (1) CONSERVATION FINANCE AGREEMENT.—

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

11 (A) the term of which is not less than 2,
 12 and not more than 20, years;

13 (B) that may provide that performance
 14 under the agreement during the second and
 15 subsequent years of the agreement is contingent
 16 on the appropriation of funds or receipt of col-
 17 lections; and

1 (C) that may provide for a cancellation
2 payment to be made to the conservation finance
3 project developer if those appropriations are not
4 made or collections are not received.

5 (2) CONSERVATION FINANCE PROJECT.—The
6 term “conservation finance project” means a
7 project—

8 (A) conducted on National Forest System
9 land and may include land adjoining National
10 Forest System land;

11 (B) that would—

12 (i) protect, restore, or improve Na-
13 tional Forest System land; and

14 (ii) use a conservation finance model
15 that employs a debt financing approach
16 that uses loaned capital from a conserva-
17 tion finance project investor to cover up-
18 front project costs, with the loaned capital
19 repaid over time by conservation finance
20 project beneficiaries; and

21 (C) the purpose of which is to conduct eco-
22 logical restoration treatments that, at the time
23 of selection for a conservation finance agree-
24 ment under the pilot program established under
25 section 103(a)—

1 (i) are conducted under the Collaborative Forest Landscape Restoration Program established under section 4003 of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303);

2 (ii)(I) were previously conducted under the Program described in clause (i);

3 (II) are no longer eligible for funding under that Program due to a time limitation under subsection (b)(1)(B) or (d)(4)(B) of that section; and

4 (III) are otherwise eligible for funding under that Program;

5 (iii) are conducted by a water source investment partnership established under section 303(c) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6542(c)); or

6 (iv) are conducted under the Joint Chiefs Landscape Restoration Partnership Program established under section 40808 of the Infrastructure Investment and Jobs Act (16 U.S.C. 6592d).

7 (3) CONSERVATION FINANCE PROJECT BENEFICIARY.—The term “conservation finance project

1 beneficiary” means a nonprofit, for-profit, or Fed-
2 eral, State, local, or Tribal governmental entity or
3 individual that—

4 (A) benefits from conservation finance
5 project outcomes; and

6 (B)(i) provides capital directly to fund a
7 conservation finance project; or

8 (ii) repays to a conservation finance
9 project investor up-front loaned capital for a
10 conservation finance project at a rate of return
11 agreed to by the entity or individual and the
12 conservation finance project investor.

13 (4) CONSERVATION FINANCE PROJECT DEVEL-
14 OPER.—The term “conservation finance project de-
15 veloper” means a nonprofit or for-profit inter-
16 mediary that assists in developing, financing, fund-
17 ing, or implementing a conservation finance project.

18 (5) CONSERVATION FINANCE PROJECT INVES-
19 TOR.—The term “conservation finance project inves-
20 tor” means a nonprofit, for-profit, or State, local, or
21 Tribal governmental entity or individual that pro-
22 vides up-front loaned capital for a conservation fi-
23 nance project.

24 (6) ECOLOGICAL INTEGRITY.—The term “eco-
25 logical integrity” has the meaning given the term in

1 section 219.19 of title 36, Code of Federal Regula-
2 tions (as in effect on the date of enactment of this
3 Act).

4 (7) **LOW-INCOME COMMUNITY.**—The term “low-
5 income community” has the meaning given the term
6 in section 45D(e) of the Internal Revenue Code of
7 1986.

8 (8) **NATIONAL FOREST SYSTEM.**—The term
9 “National Forest System” means the portion of the
10 National Forest System located west of the 100th
11 meridian.

12 (9) **RESTORATION.**—The term “restoration”
13 has the meaning given the term in section 219.19 of
14 title 36, Code of Federal Regulations (as in effect on
15 the date of enactment of this Act).

16 (10) **SECRETARY.**—The term “Secretary”
17 means the Secretary of Agriculture.

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

22 **SEC. 102. PURPOSE.**

23 The purpose of this title is to increase the pace and
24 scale of forest restoration and land management projects
25 across the National Forest System by—

1 (1) authorizing a pilot program with conserva-
2 tion finance agreement authority to leverage other
3 Federal and non-Federal investment (in addition to
4 funds appropriated to the Forest Service) in land-
5 scape-scale, multistakeholder land management ac-
6 tivities and related natural and built infrastructure
7 and associated local employment opportunities;

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

11 (3) supporting projects that emphasize—

12 (A) the reintroduction of characteristic
13 fire, based on forest ecology and reference con-
14 ditions, through the use of prescribed fire, wild-
15 fire managed for resource benefits, or both;

16 (B) restoring terrestrial and aquatic areas
17 that lack ecological integrity; or

18 (C) reducing the risk of uncharacteristic
19 wildfire and improving forest resiliency;

20 (4) requiring ecological standards and collabo-
21 ration for landscape-scale projects; and

22 (5) coordinating with Federal, State, local, and
23 Tribal entities to support the pilot program de-
24 scribed in paragraph (1) by taking full advantage of
25 existing interagency agreements and authorities.

1 **SEC. 103. CONSERVATION FINANCE AGREEMENTS.**

2 (a) **PILOT PROGRAM AUTHORITY.**—The Secretary
3 shall establish a pilot program under which the Secretary
4 may enter into a conservation finance agreement with a
5 public or private person, including a for-profit or nonprofit
6 organization, to carry out a conservation finance project
7 if the Secretary finds each of the following:

8 (1) There is a reasonable expectation that,
9 throughout the contemplated agreement period, the
10 Secretary will request funding for the agreement at
11 the level required to avoid agreement cancellation.

12 (2) The environmental analysis for the project
13 demonstrates that there is a supply sufficient to sup-
14 port a conservation finance agreement of—

15 (A) small-diameter material; or

16 (B) other hazardous fuels, the removal of
17 which would reduce the risk of uncharacteristic
18 wildfire.

19 (3) The use of the conservation finance agree-
20 ment will assist in achieving the purpose described
21 in section 102.

22 (4) The project involves a conservation finance
23 project developer.

24 (b) **LIMITED DELEGATION.**—The Secretary may not
25 delegate the pilot program authority under subsection (a)

1 to a Federal official that serves under the Chief of the
2 Forest Service.

3 (c) LIMITATIONS.—The pilot program authority
4 under subsection (a)—

5 (1) may not be used to enter into more than 20
6 conservation finance agreements;

7 (2) may be used for the obligation under con-
8 servation finance agreements of—

9 (A) during the 10-year period beginning on
10 the date of enactment of this Act, not more
11 than \$250,000,000 in the aggregate; and

12 (B) not more than \$50,000,000 for any 1
13 conservation finance agreement; and

14 (3) may not be used to reimburse for interest
15 paid to any other entity providing funds for the ap-
16 plicable conservation finance project.

17 (d) PRIORITY.—In entering into conservation finance
18 agreements under subsection (a), the Secretary shall give
19 priority to projects described in that subsection that are
20 based on restoration strategies addressing larger land-
21 scapes, particularly landscapes of 100,000 acres or more.

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

24 (1) IN GENERAL.—

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

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

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

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

23 (iii) Funds appropriated for payment
24 of the costs of cancellation or termination.

25 (2) PROVISIONS IN AGREEMENTS.—

1 (A) IN GENERAL.—The Secretary may in-
2 clude cancellation or termination provisions in
3 conservation finance agreements under this sec-
4 tion to the extent that those provisions are nec-
5 essary and in the best interests of the United
6 States.

7 (B) CONSIDERATIONS.—The cancellation
8 or termination provisions described in subpara-
9 graph (A) may include consideration of the re-
10 curring and nonrecurring costs of the conserva-
11 tion finance project developer under the applica-
12 ble conservation finance agreement.

13 (3) CANCELLATION AND TERMINATION
14 COSTS.—

15 (A) IN GENERAL.—The Secretary may ob-
16 ligate funds in stages that are economically or
17 programmatically viable to cover any potential
18 cancellation or termination costs related to the
19 Federal share of the costs under a conservation
20 finance agreement under paragraph (1)(B) and
21 implement the agreement pursuant to this sec-
22 tion.

23 (B) ADVANCE NOTICE TO CONGRESS OF
24 CANCELLATION OR TERMINATION COSTS IN EX-
25 CESS OF \$25,000,000.—Not later than 30 days

1 before entering into a conservation finance
2 agreement under this section that includes can-
3 cellation or termination costs in excess of
4 \$25,000,000, but does not include proposed
5 funding for the costs of cancelling or termi-
6 nating the agreement up to the maximum can-
7 cellation or termination costs in the agreement,
8 the Secretary shall submit to the Committee on
9 Energy and Natural Resources and the Com-
10 mittee on Agriculture, Nutrition, and Forestry
11 of the Senate and the Committee on Natural
12 Resources and the Committee on Agriculture of
13 the House of Representatives a written notice
14 that includes—

15 (i) a description of the cancellation or
16 termination cost amounts proposed for
17 each program year in the agreement;

18 (ii) the reasons why the cancellation
19 or termination cost amounts described
20 under clause (i) were selected;

21 (iii) a description of the extent to
22 which the costs of agreement cancellation
23 or termination are not included in the
24 budget for the agreement; and

1 (iv) an assessment of the financial
2 risk of not including budgeting for the
3 costs of agreement cancellation or termi-
4 nation.

5 (C) TRANSMITTAL OF NOTICE TO OMB.—
6 Not later than 14 days after the date on which
7 written notice is provided under subparagraph
8 (B), the Secretary shall transmit a copy of the
9 notice to the Director of the Office of Manage-
10 ment and Budget.

11 (D) DETERMINATION OF CANCELLATION
12 OR TERMINATION COSTS SPECIFIC TO A CON-
13 SERVATION FINANCE AGREEMENT.—The Sec-
14 retary may enter into a conservation finance
15 agreement pursuant to this section that in-
16 cludes conservation finance project developer
17 services in return for payments by the Sec-
18 retary in future years that are contingent on
19 the appropriation of funds, subject to the re-
20 quirement that the Secretary shall pay the con-
21 servation finance project developer the Federal
22 share of the cancellation or termination costs
23 under the agreement pursuant to paragraph
24 (1)(B) up to the limitation on cancellation or
25 termination costs applicable to the agreement if

1 funding for the completion of the agreement is
2 not appropriated.

3 (f) NON-FEDERAL COST SHARE.—

4 (1) IN GENERAL.—The non-Federal share of
5 the costs of implementing a conservation finance
6 agreement carried out using amounts made available
7 under this title shall be not less than 40 percent of
8 the costs of implementing the conservation finance
9 agreement, of which, subject to paragraph (2)—

10 (A) up to 50 percent may be reimbursed
11 by the Forest Service, subject to the availability
12 of appropriations and subsections (c)(3) and
13 (e); and

14 (B) not less than 50 percent shall be cov-
15 ered by non-Federal funding, which may include
16 in-kind contributions.

17 (2) COST SHARE FOR LOW-INCOME COMMU-
18 NITIES.—In the case of a conservation finance
19 project that the Secretary determines would pri-
20 marily benefit 1 or more low-income communities
21 and for which the non-Federal entities involved can-
22 not meet the cost share requirement under para-
23 graph (1)—

1 (A) subparagraph (A) of that paragraph
2 shall be applied by substituting “75 percent”
3 for “50 percent”; and

4 (B) subparagraph (B) of that paragraph
5 shall be applied by substituting “25 percent”
6 for “50 percent”.

7 (3) SAVINGS PROVISION.—Nothing in this sub-
8 section limits additional non-Federal financing or
9 funding for a conservation finance project above the
10 40 percent minimum non-Federal cost share de-
11 scribed in paragraph (1).

12 (g) STEWARDSHIP END RESULT CONTRACTING
13 PROJECT AUTHORITIES.—A conservation finance agree-
14 ment developed under this section may incorporate the au-
15 thorities provided to the Secretary and the Chief of the
16 Forest Service to enter into stewardship contracting
17 projects under section 604 of the Healthy Forests Res-
18 toration Act of 2003 (16 U.S.C. 6591c).

19 **SEC. 104. REPORT EVALUATING IMPLEMENTATION.**

20 Not later than 4 years after the date of enactment
21 of this Act, the Secretary shall submit to the Committee
22 on Natural Resources and the Committee on Appropria-
23 tions of the House of Representatives and the Committee
24 on Energy and Natural Resources and the Committee on

1 Appropriations of the Senate a report evaluating the im-
2 plementation of this title, including—

3 (1) a list of conservation finance agreements
4 entered into under this title and the accomplish-
5 ments under the projects carried out under those
6 agreements; and

7 (2) an evaluation of the pilot authority for con-
8 servation finance agreements described in section
9 103, including whether that authority has—

10 (A) increased the availability of non-Fed-
11 eral funding sources to assist in landscape-scale
12 forest restoration projects;

13 (B) promoted private or other non-Federal
14 investment in—

15 (i) new or existing infrastructure and
16 related equipment that can make use of
17 the byproducts of forest restoration;

18 (ii) the use of prescribed fire at a
19 greater scale;

20 (iii) related economic development and
21 workforce training and development;

22 (iv) land management activities en-
23 hancing natural infrastructure with bene-
24 fits for downstream water users; or

1 (v) mitigating the risk of
2 uncharacteristic wildfire; and

3 (C) any barriers limiting the broader use
4 or implementation of the pilot project authority
5 to additional projects, including risks that may
6 discourage further participation and investment
7 by outside parties.

8 **TITLE II—INCREASING COMMU-**
9 **NITY RESILIENCE TO WILD-**
10 **FIRE**

11 **SEC. 201. CRITICAL INFRASTRUCTURE AND MICROGRID**
12 **PROGRAM.**

13 (a) DEFINITIONS.—In this section:

14 (1) CRITICAL FACILITY.—

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

18 (i) to save lives;

19 (ii) to protect property, public health,
20 and public safety; or

21 (iii) to lessen or avert the threat of a
22 catastrophe.

23 (B) INCLUSIONS.—The term “critical facil-
24 ity” includes—

25 (i) a hospital;

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

1 (xiv) any other facility described in
2 subparagraph (A), as determined by the
3 Secretary.

4 (2) SECRETARY.—The term “Secretary” means
5 the Secretary of Energy.

6 (b) CRITICAL INFRASTRUCTURE AND MICROGRID
7 PROGRAM.—

8 (1) IN GENERAL.—The Secretary shall establish
9 a program—

10 (A) to improve the energy resilience and
11 power needs of critical facilities through the de-
12 velopment and use of microgrids, renewable en-
13 ergy, energy efficiency, reduced electricity de-
14 mand, and on-site storage;

15 (B) to improve the energy efficiency of
16 critical facilities by decreasing the size and cost
17 of generators;

18 (C) to provide technical assistance and fa-
19 cilitate the distribution and sharing of informa-
20 tion to develop more resilient electricity systems
21 (including bulk systems and localized systems);
22 and

23 (D) to promulgate consumer-facing infor-
24 mation and resources to inform the public on
25 best practices and resources related to increas-

1 ing resilience of electricity systems and reducing
2 the impacts of extreme weather events on elec-
3 tricity systems.

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

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

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

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

25 (c) AUTHORIZATION OF APPROPRIATIONS.—

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

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

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

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

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

15 (2) by redesignating subparagraph (J) as sub-
16 paragraph (K); and

17 (3) by inserting after subparagraph (I) the fol-
18 lowing:

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

21 (b) WEATHERIZATION PROGRAM.—

22 (1) IN GENERAL.—Section 413(b)(6) of the En-
23 ergy Conservation and Production Act (42 U.S.C.
24 6863(b)(6)) is amended—

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

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

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

6 “(E) owners of such dwelling units shall
7 use fire- and drought-resistant building mate-
8 rials, including mass timber, and incorporate
9 wildfire and drought prevention and mitigation
10 planning, as directed by the State.”.

11 (2) LIMITATIONS.—Section 415(c) of the En-
12 ergy Conservation and Production Act (42 U.S.C.
13 6865(e)) is amended—

14 (A) in paragraph (1)—

15 (i) by redesignating subparagraphs
16 (A) through (E) as clauses (i) through (v),
17 respectively, and indenting appropriately;

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

23 “(B) LABOR AND WEATHERIZATION MATE-
24 RIALS.—Labor, weatherization materials, and

1 related matter described in subparagraph (A)
2 includes—”;

3 (iii) by striking “(c)(1) Except” and
4 inserting the following:

5 “(c) FINANCIAL ASSISTANCE.—

6 “(1) AVERAGE COST.—

7 “(A) IN GENERAL.—Except”;

8 (iv) in subparagraph (A) (as so des-
9 ignated)—

10 (I) by striking “exceed an aver-
11 age of \$6,500” and inserting the fol-
12 lowing: “exceed—

13 “(i) an average of \$13,000 (adjusted
14 annually for inflation)”;

15 (II) in clause (i) (as so des-
16 ignated), by striking the period at the
17 end and inserting “; or”; and

18 (III) by adding at the end the
19 following:

20 “(ii) another average amount that is
21 greater than the amount described in
22 clause (i), if the Secretary determines it
23 necessary to waive or adjust the average
24 amount established under that clause.”;
25 and

1 (v) in subparagraph (B) (as so des-
2 ignated)—

3 (I) in clause (iv) (as so redesign-
4 nated), by striking “, and” and insert-
5 ing “; and”; and

6 (II) in clause (v) (as so redesign-
7 nated), by adding a period at the end;
8 and

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

12 **SEC. 203. WILDFIRE DETECTION, MONITORING, AND ANAL-**
13 **YSIS EQUIPMENT.**

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

17 **“SEC. 607. WILDFIRE DETECTION, MONITORING, AND ANAL-**
18 **YSIS EQUIPMENT.**

19 “To the extent practicable, the Secretary of Agri-
20 culture and the Secretary of the Interior shall—

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

24 “(2) expand the use of satellite and remote
25 sensing data and mobile technologies to assist wild-

1 fire response, management, and firefighter safety
2 through improved situational awareness;

3 “(3) expedite any permitting required by the
4 Secretary of Agriculture or the Secretary of the In-
5 terior for the installation, maintenance, or removal
6 of wildfire detection equipment;

7 “(4) review permitting described in paragraph
8 (3) and procurement requirements for wildfire detec-
9 tion equipment within the context of modern and in-
10 novative technology;

11 “(5) pursuant to the OPEN Government Data
12 Act (title II of Public Law 115–435; 132 Stat.
13 5534), the amendments made by that Act, and any
14 guidance issued by the Director of the Office of
15 Management and Budget under that Act or those
16 amendments, support the disclosure to the public of
17 nonconfidential data assets the disclosure of which
18 does not pose security risks to the public so that
19 wildland fire data is discoverable, understandable,
20 and actionable; and

21 “(6) utilize new and existing technologies to
22 analyze performance measurements and suppression
23 effectiveness of wildland fire incidents.”.

24 (b) TECHNICAL AMENDMENT.—The table of contents
25 for the Healthy Forests Restoration Act of 2003 (16

1 U.S.C. 6501 note; Public Law 108–148) is amended by
2 adding at the end of the items relating to title VI the fol-
3 lowing:

“Sec. 607. Wildfire detection, monitoring, and analysis equipment.”.

4 **TITLE III—RESEARCH, TRAIN-**
5 **ING, AND CAPACITY BUILD-**
6 **ING**

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

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

14 (b) HOST INSTITUTIONS.—The 1 or more centers
15 shall be—

16 (1) located at 1 or more institutions of higher
17 education; or

18 (2) developed in collaboration with 1 or more
19 institutions of higher education.

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

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

1 (2) Developing and advancing interdisciplinary
2 science relating to wildfire, including social science
3 and human dimensions of wildfire, in consultation
4 with stakeholders who—

5 (A) need that science;

6 (B) will benefit from the outcomes of that
7 science; and

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

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

18 (A) Increasing disaster resilience.

19 (B) Mitigation and management methods.

20 (C) Air quality.

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

1 (4) Collaborating with Federal wildfire sci-
2 entists at the Forest Service, the Department of the
3 Interior, and other related agencies.

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

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

13 (7) Ensuring the connectivity and interoper-
14 ability of distributed services to maximize synergies
15 and benefits across services.

16 (8) Developing open digital infrastructure to
17 make research data, science, and models open for all
18 sectors to use.

19 (9) Understanding the effectiveness of historical
20 and current wildfire management and suppression
21 strategies, including on wildfires that start in wilder-
22 ness areas, wilderness study areas, or inventoried
23 roadless areas.

24 (d) LOCATION.—

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

4 (2) CONSULTATION.—The Secretaries shall con-
5 sult with the Joint Fire Science Program to solicit
6 and evaluate proposals for the location of the 1 or
7 more centers.

8 (3) SELECTION.—Not later than 1 year after
9 the date of enactment of this Act, based on the con-
10 sultation under paragraph (2), the Secretaries shall
11 select a location for the 1 or more centers.

12 **SEC. 302. INNOVATIVE FOREST WORKFORCE DEVELOP-**
13 **MENT PROGRAM.**

14 (a) DEFINITIONS.—In this section:

15 (1) CAREER IN FORESTRY AND FIRE MANAGE-
16 MENT.—The term “career in forestry and fire man-
17 agement” means a career in a field relating to for-
18 ests and the restoration to the natural fire regimes
19 of forests, including—

20 (A) in timber operations;

21 (B) as a registered professional forester;

22 (C) in vegetation treatment, including as a
23 member of a hand crew, a machine operator,
24 and in conducting prescribed fires as part of a
25 fire restoration workforce that is capable of

1 conducting large landscape restorative and
2 maintenance prescribed fires;

3 (D) in ecological restoration, including res-
4 toration of watersheds;

5 (E) in wildland firefighting; and

6 (F) in community fire resilience, including
7 workforce development projects.

8 (2) FORESTRY AND FIRE MANAGEMENT.—The
9 term “forestry and fire management” includes the
10 areas of fields relating to forests described in sub-
11 paragraphs (A) through (F) of paragraph (1).

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

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

16 (1) to assist in the development and utilization
17 of innovative activities relating to workforce develop-
18 ment in forestry and fire management and opportu-
19 nities for careers in forestry and fire management;
20 and

21 (2) to expand public awareness about forestry
22 and fire management and connect individuals to ca-
23 reers in forestry and fire management.

24 (c) SELECTION OF GRANT RECIPIENTS.—In award-
25 ing grants under subsection (b), the Secretary shall, to

1 the extent practicable, select nonprofit professional or
2 service organizations, labor organizations, State agencies,
3 community colleges, institutions of higher education, or
4 other training and educational institutions—

5 (1) that have qualifications and experience—

6 (A) in the development of training pro-
7 grams and curricula relevant to the workforce
8 needs of forestry and fire management;

9 (B) working in cooperation with forestry
10 and fire management; or

11 (C) developing public education materials
12 appropriate for communicating with groups of
13 various ages and educational backgrounds; and

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

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

18 (1) targeted internships, apprenticeships, pre-
19 apprenticeships, and post-secondary bridge programs
20 for skilled forestry and fire management trades that
21 provide—

22 (A) on-the-job training;

23 (B) skills development;

24 (C) test preparation for skilled trade ap-
25 prenticeships;

1 (D) advance training in forestry and fire
2 management relating to jobs as forest
3 restorationists, members of hand crews,
4 wildland firefighters, machine operators, li-
5 censed timber operators, registered professional
6 foresters, ecologists, biologists, or workers in
7 construction in support of resilient infrastruc-
8 ture, including residential buildings; or

9 (E) other support services to facilitate
10 post-secondary success;

11 (2) education programs designed for elemen-
12 tary, secondary, and higher education students
13 that—

14 (A) inform people about the role of for-
15 estry, vegetation management, and ecological
16 restoration in the communities of those people;

17 (B) increase the awareness of opportunities
18 for careers in forestry and fire management
19 and exposure of students to those careers
20 through various work-based learning opportuni-
21 ties inside and outside the classroom; and

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

24 (3) the development of a model curriculum and
25 related vocational programs to be adopted by com-

1 munity colleges, which, to the extent practicable and
2 feasible, shall—

3 (A) provide professional training in imple-
4 menting prescribed fire projects, including the
5 knowledge and skills necessary to plan and im-
6 plement broad-scale surface and ladder fuel
7 treatments within the wildland-urban interface,
8 wildlands, and urbanized areas, as appropriate;

9 (B) include a focus on the ecological con-
10 cerns, economics, and practices necessary to im-
11 prove community safety and forest resilience;
12 and

13 (C) train students in—

14 (i) the retrofitting of houses, including
15 the use of fire-resistant materials and the
16 maintenance of defensible space;

17 (ii) urban forestry; and

18 (iii) policies or guidance relating to
19 the management of vegetation near utility
20 infrastructure and relevant portions of
21 electric utility wildfire mitigation plans;

22 (4) regional industry and workforce develop-
23 ment collaborations, including the coordination of
24 candidate development, particularly in areas of high
25 unemployment;

1 (5) integrated learning laboratories in sec-
 2 ondary educational institutions that provide students
 3 with—

4 (A) hands-on, contextualized learning op-
 5 portunities;

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

8 (C) direct connection to industry or gov-
 9 ernment employers; and

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

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

17 **SEC. 303. NATIONAL COMMUNITY CAPACITY AND LAND**
 18 **STEWARDSHIP GRANT PROGRAM.**

19 (a) DEFINITIONS.—In this section:

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

24 (2) DISADVANTAGED COMMUNITY.—The term
 25 “disadvantaged community” means—

1 (A) a low-income community (as defined in
2 section 45D(e) of the Internal Revenue Code of
3 1986); and

4 (B) a community that includes a signifi-
5 cant population that has been systematically de-
6 nied a full opportunity to participate in aspects
7 of economic, social, and civic life based on a
8 particular characteristic, such as Black, Latino,
9 Indigenous, and Native American persons,
10 Asian Americans, Pacific Islanders, and other
11 persons of color.

12 (3) ELIGIBLE ENTITY.—The term “eligible enti-
13 ty” means any of the following entities that is lo-
14 cated in or represents a disadvantaged community:

15 (A) An organization described in section
16 501(c) of the Internal Revenue Code of 1986
17 and exempt from taxation under section 501(a)
18 of that Code.

19 (B) A collaborative group fiscally spon-
20 sored by an organization described in subpara-
21 graph (A).

22 (C) A unit of local government.

23 (D) An Indian Tribe.

1 (E) A special district government, as de-
2 fined by the Director of the Bureau of the Cen-
3 sus.

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

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

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

16 (A) Planning.

17 (B) Collaboration and building community
18 support.

19 (C) Implementation on land other than
20 National Forest System land.

21 (D) Monitoring, including multiparty moni-
22 toring, and adaptive management.

23 (7) QUALIFYING PROJECT.—The term “quali-
24 fying project” means any of the following activities

1 that takes place at least in substantial part on Na-
 2 tional Forest System land or national grasslands:

3 (A) Restoration of the ecological integrity
 4 of a forest, meadow, grassland, prairie, or other
 5 habitat.

6 (B) Tribal management for aligned cul-
 7 tural and ecological values.

8 (C) Enhancing community wildfire resil-
 9 ience in the wildland-urban interface.

10 (D) Increasing equitable access to environ-
 11 mental education and volunteerism opportuni-
 12 ties.

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

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

19 (A) the regional offices of the State and
 20 Private Forestry Deputy Area of the Forest
 21 Service; and

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

24 (b) PURPOSE.—The purpose of this section is to sup-
 25 port increasing community capacity, partnerships, and col-

1 laborations within and involving disadvantaged commu-
2 nities for land stewardship activities and restoration of ec-
3 ological integrity on—

4 (1) National Forest System land;

5 (2) national grasslands; and

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

9 (c) ADMINISTRATION.—

10 (1) IN GENERAL.—The Secretary may issue
11 grants to eligible entities for increasing community
12 capacity for land stewardship activities and related
13 activities based on the criteria described in sub-
14 section (d).

15 (2) FEDERAL COST-SHARE.—

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

20 (B) MATCHING ELIGIBILITY.—A grant
21 issued under this section may be considered a
22 non-Federal matching contribution from the eli-
23 gible entity that received the grant towards
24 other sources of Federal funding.

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

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

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

10 (d) CRITERIA FOR AWARDING GRANTS.—

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

15 (A) The extent to which the proposed land
16 stewardship activities benefit units of the Na-
17 tional Forest System and national grasslands
18 over the short and long term.

19 (B) The extent to which valuable ecologi-
20 cal, economic, and social benefits to disadvan-
21 taged communities, including job creation and
22 business development or retention, are likely to
23 result from the scope of the land stewardship
24 activities.

1 (C) The extent to which the grant would
2 benefit disadvantaged communities that have
3 historically received less investment in collabo-
4 rative capacity.

5 (D) The extent to which the proposal
6 brings together diverse interests through plan-
7 ning, collaboration, implementation, or moni-
8 toring of land stewardship activities to benefit
9 units of the National Forest System or national
10 grasslands.

11 (E) The extent to which the grant funds
12 appear to be critical for the success of the eligi-
13 ble entity and the identified land stewardship
14 activities.

15 (F) The extent to which the budget for the
16 land stewardship activities is reasonable given
17 the anticipated outcomes.

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

22 (e) ANNUAL REVIEWS.—

23 (1) IN GENERAL.—The Secretary shall establish
24 and maintain an advisory panel composed of not
25 more than 15 members to provide feedback each

1 year to each regional office of the State and Private
2 Forestry Deputy Area of the Forest Service on the
3 extent to which the implementation of this section by
4 the regional office is fulfilling the purpose described
5 in subsection (b).

6 (2) INCLUSIONS.—The advisory panel estab-
7 lished under paragraph (1) shall include representa-
8 tion from a diversity of public land stakeholders
9 from across interest groups, including—

10 (A) not fewer than 8 members rep-
11 resenting the interests of a diversity of dis-
12 advantaged communities; and

13 (B) not fewer than 2 members rep-
14 resenting not fewer than 2 Indian Tribes.

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

18 (f) REPORT EVALUATING PROGRAM IMPLEMENTA-
19 TION.—

20 (1) IN GENERAL.—Not later than 4 years after
21 the date of enactment of this Act, the Secretary
22 shall submit to the Committee on Natural Resources
23 and the Committee on Appropriations of the House
24 of Representatives and the Committee on Energy
25 and Natural Resources and the Committee on Ap-

1 propriations of the Senate a report evaluating the
2 implementation of this section, including—

3 (A) a list of the eligible entities and land
4 stewardship activities selected for funding under
5 this section and the accomplishments of those
6 activities; and

7 (B) an evaluation of the extent to which
8 the implementation of this section is fulfilling
9 the purpose described in subsection (b).

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

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

15 (B) may contract with a third party to
16 complete an evaluation of the implementation of
17 this section to inform the report.

18 (g) AUTHORIZATION OF APPROPRIATIONS.—

19 (1) IN GENERAL.—There is authorized to be
20 appropriated to the Secretary to carry out this sec-
21 tion \$50,000,000 for the period of fiscal years 2023
22 through 2027.

23 (2) DISTRIBUTION.—The Secretary shall dis-
24 tribute amounts made available under paragraph (1)
25 to the regional offices of the State and Private For-

1 estry Deputy Area and, as appropriate, regional of-
2 fices of other Deputy Areas, of the Forest Service to
3 administer the grants under this section.

4 (3) ADMINISTRATIVE COSTS.—Not more than
5 10 percent of any amounts made available to carry
6 out this section may be used for administrative man-
7 agement and program oversight.

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