

117TH CONGRESS
1ST SESSION

S. 487

To make supplemental appropriations for the Departments of Agriculture, the Interior, Homeland Security, Labor, and Commerce for the fiscal year ending September 30, 2021, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 25, 2021

Mr. WYDEN (for himself, Mr. BOOKER, Mr. MERKLEY, and Mr. HEINRICH) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To make supplemental appropriations for the Departments of Agriculture, the Interior, Homeland Security, Labor, and Commerce for the fiscal year ending September 30, 2021, 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.**

4 This Act may be cited as the “21st Century Con-
5 servation Corps Act”.

1 **SEC. 2. SUPPLEMENTAL APPROPRIATIONS FOR THE DE-**
2 **PARTMENTS OF AGRICULTURE, THE INTE-**
3 **RIOR, HOMELAND SECURITY, LABOR, AND**
4 **COMMERCE.**

5 (a) IN GENERAL.—The following amounts are appro-
6 priated, out of any amounts in the Treasury not otherwise
7 appropriated, for the fiscal year ending September 30,
8 2021, and for other purposes:

9 (1) FOREST SERVICE SUPPLEMENTAL APPRO-
10 PRIATIONS.—For additional amounts for the Forest
11 Service—

12 (A) \$8,075,000,000 for “National Forest
13 System”, to remain available through Sep-
14 tember 30, 2023, of which—

15 (i) \$3,500,000,000, to remain avail-
16 able through September 30, 2023, shall be
17 used for hazardous fuels management ac-
18 tivities, subject to the conditions that the
19 Secretary of Agriculture, acting through
20 the Chief of the Forest Service (referred to
21 in this paragraph as the “Secretary”)—

22 (I) shall prioritize hazardous
23 fuels reduction projects using those
24 amounts for projects—

25 (aa) for which any applica-
26 ble processes under the National

1 Environmental Policy Act of
2 1969 (42 U.S.C. 4321 et seq.)
3 have been completed or are in the
4 process of being completed;

5 (bb) that are noncommer-
6 cial;

7 (cc) that focus on small di-
8 ameter trees, thinning, strategic
9 fuel breaks, and fire use to mod-
10 ify fire behavior, as measured by
11 the projected reduction of
12 uncharacteristically severe wild-
13 fire effects for the forest type,
14 such as adverse soil impacts, tree
15 mortality, or other impacts;

16 (dd) that maximize the re-
17 tention of large trees, as appro-
18 priate for the forest type, to the
19 extent that the trees promote
20 fire-resilient stands;

21 (ee) that do not include the
22 establishment of permanent
23 roads; and

24 (ff) for which funding would
25 be committed to decommission all

1 temporary roads constructed to
2 carry out the project;

3 (II) shall not harvest vegeta-
4 tion—

5 (aa) from any old growth
6 stand, unless the old growth
7 stand is part of a science-based
8 ecological restoration project au-
9 thorized by the Secretary that
10 meets applicable protection and
11 old growth enhancement objec-
12 tives, as determined by the Sec-
13 retary; or

14 (bb) within any inventoried
15 roadless area; and

16 (III) shall complete and submit
17 to the Committee on Energy and Nat-
18 ural Resources of the Senate and the
19 Committee on Natural Resources of
20 the House of Representatives an an-
21 nual report describing the number of
22 acres of land on which projects car-
23 ried out using those amounts effec-
24 tively mitigated wildfire risk;

1 (ii) \$150,000,000, to remain available
2 through September 30, 2023, shall be de-
3 posited in the Collaborative Forest Land-
4 scape Restoration Fund for ecological res-
5 toration treatments, as authorized by sec-
6 tion 4003(f) of the Omnibus Public Land
7 Management Act of 2009 (16 U.S.C.
8 7303(f)): *Provided*, That the Secretary
9 may expend such funds on any proposal
10 that has received or been approved for
11 funding through the Collaborative Forest
12 Landscape Restoration Fund and will be
13 implemented through the collaborative
14 process described in section 4003(b)(2) of
15 that Act (16 U.S.C. 7303(b)(2));

16 (iii) \$300,000,000, to remain available
17 through September 30, 2023, shall be used
18 to implement watershed protection and res-
19 toration action plans developed as part of
20 the Watershed Condition Framework es-
21 tablished under section 304 of the Healthy
22 Forests Restoration Act of 2003 (16
23 U.S.C. 6543);

24 (iv) \$25,000,000, to remain available
25 through September 30, 2021, for “Recre-

ation, Heritage, and Wilderness”, which shall be used for the Every Kid Outdoors program established under section 9001 of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (16 U.S.C. 6804 note; Public Law 116–9); and

(v) \$100,000,000, to remain available through September 30, 2023, shall be used for plan monitoring programs developed pursuant to section 219.12 of title 36, Code of Federal Regulations (or successor regulations), including multi-party monitoring under those programs;

(B) \$6,000,000,000 for “Capital Improvement and Maintenance”, to remain available through September 30, 2023, subject to the conditions that—

(i) the Secretary shall prioritize the use of those amounts to carry out authorized activities—

(I) to provide stewardship for existing system roads and trails;

(II) to improve water quality;

(III) to improve, maintain, or restore infrastructure for—

1 (aa) the passage of fish and
2 wildlife; and

3 (bb) recreational use;

4 (IV) to decommission unneeded
5 roads;

6 (V) to improve visitor services;
7 and

8 (VI) to improve recreational and
9 educational access, opportunities, and
10 other services to underserved commu-
11 nities; and

12 (ii) \$300,000,000 shall be used for
13 the Forest Service Legacy Roads and
14 Trails Remediation Program established by
15 section 8 of Public Law 88–657 (as added
16 by section 5);

17 (C) \$2,400,000,000 for “State and Private
18 Forestry”, of which—

19 (i) \$100,000,000, to remain available
20 through September 30, 2023, shall be used
21 for competitive grants under the land-
22 scape-scale restoration program established
23 under section 13A of the Cooperative For-
24 estry Assistance Act of 1978 (16 U.S.C.
25 2109a), of which \$50,000,000 shall be

1 used to enter into contracts with Indian
2 tribes pursuant to the Indian Self-Deter-
3 mination and Education Assistance Act
4 (25 U.S.C. 5301 et seq.);

5 (ii) \$100,000,000, to remain available
6 until expended, shall be used for the For-
7 est Legacy Program;

8 (iii) \$100,000,000, to remain available
9 through September 30, 2023, shall be used
10 for the urban and community forestry pro-
11 gram;

12 (iv) \$100,000,000, to remain available
13 through September 30, 2023, shall be used
14 for the community forest and open space
15 conservation program; and

16 (v) \$2,000,000,000, to remain avail-
17 able through September 30, 2023, shall be
18 used for State fire assistance (National
19 Fire Capacity);

20 (D) \$30,000,000, to remain available
21 through September 30, 2023, shall be used for
22 the Water Source Protection Program estab-
23 lished under section 303 of the Healthy Forests
24 Restoration Act of 2003 (16 U.S.C. 6542);

(E) \$100,000,000 for the purchase of personal protective equipment and other preparedness and response expenses relating to COVID–19, to remain available through September 30, 2023: *Provided*, That the Administrator of the Federal Emergency Management Agency shall consider allocating personal protective equipment and appropriate testing for COVID–19 to Federal and cooperating wildland firefighters and law enforcement personnel from Federal land management agencies; and

(F) \$2,000,000,000, to remain available through September 30, 2023, to carry out the National Forest System Trails Stewardship Act (16 U.S.C. 583k et seq.).

(2) NATURAL RESOURCES CONSERVATION SERVICE.—For an additional amount for the Natural Resources Conservation Service, \$5,500,000,000 for “Conservation Operations”, to remain available through September 30, 2025, which shall be used to fund alternative funding arrangements under section 1271C(d) of the Food Security Act of 1985 (16 U.S.C. 3871c(d)), the eligible partner (as defined in section 1271A of that Act (16 U.S.C. 3871a)) with respect to which demonstrates

1 quantifiable and cost-efficient sediment and nutrient
2 reductions, and near-term job creation, subject to
3 the conditions that—

4 (A) the amounts shall be used—

5 (i) to fund high-impact resiliency
6 projects to restore watersheds, the eligible
7 partner (as so defined) with respect to
8 which demonstrates—

9 (I) quantifiable reductions to
10 nonpoint source pollution;

11 (II) quantified increases in
12 streamflow that functionally benefit
13 native fish and wildlife species; or

14 (III) quantified streamflow pref-
15 erence to account for recreational
16 usage; and

17 (ii) to provide \$200,000,000 in tech-
18 nical assessment funding to eligible part-
19 ners (as so defined) to analyze and identify
20 the high-impact sediment, nutrient, and
21 streamflow benefits available in watersheds
22 in advance of projects carried out using
23 those amounts, on a State-by-State and
24 watershed-by-watershed basis, by Decem-
25 ber 31, 2022; and

1 (B) with respect to a high-impact resiliency
2 project described in subparagraph (A)(i) funded
3 using amounts made available under this para-
4 graph—

5 (i) the project shall be approved on an
6 expedited basis;

7 (ii) the project shall receive 100 per-
8 cent Federal financial assistance, including
9 60 percent of the assistance provided at
10 the beginning of the project, with eligible
11 partners (as so defined) managing the
12 projects receiving an additional 20 percent
13 administrative rate; and

14 (iii) of the amount provided for the
15 project, not more than 15 percent shall be
16 used by the Secretary of Agriculture to
17 provide technical assistance and measure
18 project results.

19 (3) COMMUNITY WOOD ENERGY AND WOOD IN-
20 NOVATION PROGRAM.—\$100,000,000 for the Sec-
21 retary of Agriculture for competitive grants under
22 the Community Wood Energy and Wood Innovation
23 Program established under section 9013 of the
24 Farm Security and Rural Investment Act of 2002 (7
25 U.S.C. 8113), to remain available through Sep-

tember 30, 2023: *Provided*, That the Secretary of Agriculture may award the grants without regard to section 9013(g)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113(g)(2)).

(4) DEPARTMENT OF THE INTERIOR SUPPLEMENTAL APPROPRIATIONS.—For additional amounts—

(A) for the Bureau of Land Management—

(i) \$2,025,000,000 for “Management of Lands and Resources”, to remain available until September 30, 2023, which shall be used for hazardous fuels management activities, subject to the conditions that the Secretary of the Interior, acting through the Director of the Bureau of Land Management (referred to in this subparagraph as the “Secretary”)—

(I) shall prioritize hazardous fuels reduction projects using those amounts for projects—

(aa) for which any applicable processes under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)

1 have been completed or are in the
2 process of being completed;

3 (bb) that are noncommercial;
4

5 (cc) that focus on small diameter
6 trees, thinning, strategic
7 fuel breaks, and fire use to modify
8 fire behavior, as measured by
9 the projected reduction of
10 uncharacteristically severe wild-
11 fire effects for the forest type,
12 such as adverse soil impacts, tree
13 mortality, or other impacts;

14 (dd) that maximize the retention
15 of large trees, as appropriate
16 for the forest type, to the
17 extent that the trees promote
18 fire-resilient stands;

19 (ee) that do not include the
20 establishment of permanent
21 roads; and

22 (ff) for which funding would
23 be committed to decommission all
24 temporary roads constructed to
25 carry out the project;

1 (II) shall not harvest vegetation
2 from any old growth stand, unless the
3 old growth stand is part of a science-
4 based ecological restoration project
5 authorized by the Secretary that
6 meets applicable protection and old
7 growth enhancement objectives, as de-
8 termined by the Secretary; and

9 (III) shall complete and submit
10 to the Committee on Energy and Nat-
11 ural Resources of the Senate and the
12 Committee on Natural Resources of
13 the House of Representatives an an-
14 nual report describing the number of
15 acres of land on which projects car-
16 ried out using those amounts effec-
17 tively mitigated wildfire risk;

18 (ii) \$25,000,000, to remain available
19 until September 30, 2021, for the Every
20 Kid Outdoors program established under
21 section 9001 of the John D. Dingell, Jr.
22 Conservation, Management, and Recre-
23 ation Act (16 U.S.C. 6804 note; Public
24 Law 116–9); and

1 (iii) \$2,000,000,000, to remain avail-
2 able until September 30, 2023, for “Man-
3 agement of Lands and Resources”, subject
4 to the condition that the Secretary shall
5 prioritize the use of those amounts to carry
6 out authorized activities—

7 (I) to provide stewardship for ex-
8 isting system roads and trails;

9 (II) to improve water quality;

10 (III) to improve, maintain, or re-
11 store infrastructure for the passage of
12 fish and wildlife;

13 (IV) to decommission unneeded
14 roads;

15 (V) to improve visitor services;
16 and

17 (VI) to improve recreational and
18 educational access, opportunities, and
19 other services to underserved commu-
20 nities;

21 (B) for the United States Fish and Wild-
22 life Service, to remain available until September
23 30, 2023—

24 (i) \$300,000,000 for “Resource Man-
25 agement”, of which—

1 (I) \$150,000,000 shall be used
2 for the partners for fish and wildlife
3 program; and

4 (II) \$150,000,000 shall be used
5 for migratory bird management under
6 the North American waterfowl joint
7 ventures program; and

8 (ii) \$15,000,000 for “National Wild-
9 life Refuge System”, which shall be used
10 for the Every Kid Outdoors program es-
11 tablished under section 9001 of the John
12 D. Dingell, Jr. Conservation, Management,
13 and Recreation Act (16 U.S.C. 6804 note;
14 Public Law 116–9);

15 (C) for the Bureau of Reclamation,
16 \$4,505,000,000 for “Water and Related Re-
17 sources”, of which—

18 (i) \$500,000,000 shall be used to pro-
19 vide funding for rural water supply
20 projects that serve Indian Tribes under the
21 rural water supply program under section
22 103 of the Rural Water Supply Act of
23 2006 (43 U.S.C. 2402): *Provided*, That
24 priority shall be given to funding rural
25 water supply projects that respond to

1 emergency situations in which a lack of ac-
2 cess to clean drinking water threatens the
3 health of a Tribal population;

4 (ii) \$4,500,000, to remain available
5 through September 30, 2023, shall be used
6 to carry out the WaterSMART program
7 authorized by subtitle F of title IX of the
8 Omnibus Public Land Management Act of
9 2009 (42 U.S.C. 10361 et seq.), subject to
10 the conditions that—

11 (I) high-impact resiliency projects
12 funded using those amounts shall
13 have—

14 (aa) quantifiable and high-
15 efficiency improvements to re-
16 gional drought resiliency; and

17 (bb) quantifiable increases
18 in streamflows that functionally
19 benefit native fish and wildlife
20 species;

21 (II) grants provided using those
22 amounts shall be approved on an ex-
23 pedited basis;

1 (III) the amount of a grant pro-
2 vided using those amounts shall be
3 not more than \$50,000,000; and

4 (IV) \$100,000,000 shall be pro-
5 vided in technical assessment funding
6 to recipients of amounts under that
7 program to analyze and identify the
8 high-impact sediment, nutrient, and
9 streamflow benefits available in water-
10 sheds in advance of projects carried
11 out using those amounts, on a State-
12 by-State basis, by December 31,
13 2022; and

14 (iii) \$5,000,000, to remain available
15 through September 30, 2021, shall be used
16 for the Every Kid Outdoors program es-
17 tablished under section 9001 of the John
18 D. Dingell, Jr. Conservation, Management,
19 and Recreation Act (16 U.S.C. 6804 note;
20 Public Law 116–9);

21 (D) for the Bureau of Indian Affairs,
22 \$45,000,000 for “Operation of Indian Pro-
23 grams”, of which—

24 (i) \$20,000,000 shall be used for for-
25 estry, subject to the condition that such

1 amount shall be divided equally between
2 Tribal priority allocation and forest
3 projects;

4 (ii) \$20,000,000 shall be made avail-
5 able to Indian Tribes on a competitive
6 basis to build capacity for participation in
7 large landscape-scale forest health treat-
8 ments; and

9 (iii) \$5,000,000 shall be used for a
10 workforce development initiative to recruit
11 and retain forestry professionals on Indian
12 land; and

13 (E) for the National Park Service—

14 (i) \$575,000,000 for “Operation of
15 the National Park Service”, to remain
16 available through September 30, 2021, of
17 which—

18 (I) \$25,000,000 shall be used for
19 the Every Kid Outdoors program es-
20 tablished under section 9001(b)(1) of
21 the John D. Dingell, Jr. Conservation,
22 Management, and Recreation Act (16
23 U.S.C. 6804 note; Public Law 116–
24 9);

1 (II) \$50,000,000 shall be used to
2 support programming and partner-
3 ships with youth-serving organiza-
4 tions; and

5 (III) \$500,000,000 shall be used
6 for the Outdoor Recreation Legacy
7 Partnership Program of the Land and
8 Water Conservation Fund, subject to
9 the conditions that—

10 (aa) 49 percent of the funds
11 shall be divided equally among
12 each State, territory of the
13 United States, and the District
14 of Columbia;

15 (bb) 49 percent of the funds
16 shall be divided proportionally
17 among the States and territories
18 of the United States based on the
19 urban population of the States
20 and territories of the United
21 States, as determined by the
22 2010 census;

23 (cc) 2 percent of the funds
24 shall be reserved for the provision

1 of funds to Tribal governments
2 by the Secretary;

3 (dd) the Secretary shall co-
4 ordinate with the chief executive
5 officers of the States and terri-
6 tories of the United States to dis-
7 tribute grants at a Federal share
8 of 100 percent on an expedited
9 basis to support job creation and
10 economic revitalization in low-in-
11 come communities through
12 projects that—

13 (AA) acquire land and
14 water for parks and other
15 public outdoor recreation
16 purposes;

17 (BB) develop new, or
18 renovate existing, public out-
19 door recreation facilities;
20 and

21 (CC) improve delivery
22 of recreation services, in-
23 cluding personnel, training,
24 facilities, programming,

1 recreation equipment, and
2 supplies; and

3 (ee) priority shall be given
4 to projects that—

5 (AA) create or signifi-
6 cantly enhance access to
7 park, waterway, and rec-
8 reational opportunities in a
9 qualifying urban area that
10 lacks parks and outdoor
11 recreation areas within 0.5
12 miles of, or 10-minute walk-
13 ing distance from, the quali-
14 fying urban area;

15 (BB) improve outdoor
16 recreation opportunities for
17 high-need populations based
18 on income, age, or other
19 measures of vulnerability
20 and need;

21 (CC) provide opportuni-
22 ties for employment or job
23 training in park construc-
24 tion, site rehabilitation, or
25 operations;

1 (DD) engage and em-
 2 power underserved commu-
 3 nities and youth; and

4 (EE) take advantage of
 5 coordination among various
 6 levels of government; and

7 (ii) \$6,000,000,000 for “Construc-
 8 tion”, to remain available through Sep-
 9 tember 30, 2023, subject to the condition
 10 that the Secretary of the Interior (acting
 11 through the Director of the National Park
 12 Service) shall prioritize the use of the
 13 amounts to carry out authorized activi-
 14 ties—

15 (I) to provide stewardship for ex-
 16 isting National Park System roads
 17 and trails;

18 (II) to improve water quality;

19 (III) to improve, maintain, or re-
 20 store infrastructure for the passage of
 21 fish and wildlife;

22 (IV) to improve visitor services;
 23 and

24 (V) to improve recreational and
 25 educational access, opportunities, and

1 other services to underserved commu-
2 nities.

3 (5) DEPARTMENT OF HOMELAND SECURITY
4 SUPPLEMENTAL APPROPRIATIONS.—For an addi-
5 tional amount for the Department of Homeland Se-
6 curity for “Disaster Relief Fund”, \$2,000,000,000
7 for the Building Resilient Infrastructure and Com-
8 munities program under section 203 of the Robert
9 T. Stafford Disaster Relief and Emergency Assist-
10 ance Act (42 U.S.C. 5133), to remain available until
11 September 30, 2031, for the purposes of increasing
12 wildfire, floodplain, urban heat, and climate resil-
13 iency on an expedited basis.

14 (6) DEPARTMENT OF COMMERCE SUPPLE-
15 MENTAL APPROPRIATIONS.—For an additional
16 amount for the Department of Commerce for “Oper-
17 ations, Research, and Facilities”, \$2,000,000,000
18 for the National Oceans and Coastal Security Fund
19 established under section 904 of the National
20 Oceans and Coastal Security Act (16 U.S.C. 7503)
21 to award grants under section 906 of that Act (16
22 U.S.C. 7505), to remain available until September
23 30, 2031, for the purposes of creating jobs, restoring
24 wetlands, dunes, reefs, marshes, kelp forests,

1 mangroves, and other living shorelines to reduce
 2 flood risks, create habitat, and restart tourism.

3 (7) DEPARTMENT OF LABOR APPROPRIA-
 4 TIONS.—\$9,000,000,000 for the Department of
 5 Labor for the Civilian Conservation Corps program
 6 established under subtitle E of title I of the Work-
 7 force Innovation and Opportunity Act, to remain
 8 available through September 30, 2022.

9 (b) LOCAL BENEFIT; ENVIRONMENTAL ANALYSIS.—
 10 To the extent practicable, in using amounts made avail-
 11 able under subsection (a)(1), the Secretary of Agriculture,
 12 acting through the Chief of the Forest Service—

13 (1) is encouraged to enter into stewardship con-
 14 tracting projects under section 604 of the Healthy
 15 Forests Restoration Act of 2003 (16 U.S.C. 6591c)
 16 in order to maximize the economic benefit for rural
 17 communities; and

18 (2) shall carry out projects using those amounts
 19 in accordance with section 104 of the Healthy For-
 20 ests Restoration Act of 2003 (16 U.S.C. 6514).

21 (c) COMMUNITY ENGAGEMENT.—In carrying out
 22 projects using amounts made available under this section,
 23 each Secretary concerned shall, to the maximum extent
 24 practicable, engage—

1 (1) historically underrepresented communities;

2 or

3 (2) historically disenfranchised communities.

4 (d) PUBLIC LANDS SERVICE ORGANIZATIONS.—In

5 carrying out conservation projects using amounts made

6 available under paragraphs (1) through (6) of subsection

7 (a), each Secretary concerned—

8 (1) shall, to the maximum extent practicable,

9 use—

10 (A) qualified youth or conservation corps

11 (as defined in section 203 of the Public Lands

12 Corps Act of 1993 (16 U.S.C. 1722)); and

13 (B) nonprofit wilderness, trails, and recre-

14 ation stewardship organizations; and

15 (2) may use such amounts as are necessary to

16 provide technical assistance.

17 (e) MATCHING FUNDS WAIVER.—Any otherwise ap-

18 plicable matching funds requirements, including under

19 section 212(a)(1) of the Public Lands Corps Act of 1993

20 (16 U.S.C. 1729(a)(1)), shall be waived for high-impact

21 resiliency projects described in paragraphs (2)(A)(i) and

22 (4)(C)(i)(I) of subsection (a) carried out using amounts

23 made available under this section.

24 (f) FEDERAL COORDINATION.—The head of each

25 Federal agency for which amounts are made available

1 under this section shall monitor and track, through an on-
 2 line platform that is usable by personnel across Federal
 3 agencies—

4 (1) the expenditure of those amounts; and

5 (2) the conservation outcomes achieved through
 6 those expenditures.

7 (g) PRIORITY.—In using amounts made available
 8 under this section, the Secretary of Agriculture or the Sec-
 9 retary of the Interior, as applicable, shall give priority to
 10 funding high-impact resiliency projects described in para-
 11 graphs (2)(A)(i) and (4)(C)(i)(I) of subsection (a) that
 12 maximize quantifiable environmental benefits for the least
 13 cost.

14 **SEC. 3. OUTFITTERS AND GUIDES RELIEF PROGRAM.**

15 (a) DEFINITIONS.—In this section:

16 (1) ELIGIBLE ENTITY.—The term “eligible enti-
 17 ty” means—

18 (A) a holder of a special use permit that
 19 has fewer than 500 full-time equivalent employ-
 20 ees; and

21 (B) a small- or medium-sized ski area with
 22 a special use permit to operate a ski area of
 23 National Forest System land.

1 (2) FUND.—The term “Fund” means the Out-
 2 fitters and Guides Relief Fund established by sub-
 3 section (b).

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

6 (4) SPECIAL USE PERMIT.—The term “special
 7 use permit” means—

8 (A) with respect to the Forest Service—

9 (i) a special use authorization (as de-
 10 fined in section 251.51 of title 36, Code of
 11 Federal Regulations (or successor regula-
 12 tions)), for guiding or outfitting (as those
 13 terms are defined in that section (or suc-
 14 cessor regulations)); or

15 (ii) a permit that a ski area is re-
 16 quired to hold to operate on Federal land;

17 (B) with respect to the National Park
 18 Service, a commercial use authorization for out-
 19 fitting and guiding issued under—

20 (i) section 803(h) of the Federal
 21 Lands Recreation Enhancement Act (16
 22 U.S.C. 6802(h)); or

23 (ii) section 101925 of title 54, United
 24 States Code;

1 (C) with respect to the National Park
2 Service, a concession contract for outdoor recre-
3 ation activities awarded under subchapter II of
4 chapter 1019 of title 54, United States Code
5 (not including a commercial use authorization
6 under section 101925 of that title);

7 (D) with respect to the United States Fish
8 and Wildlife Service, a special use permit for
9 recreational, sport fishing, or hunting outfitting
10 and guiding;

11 (E) with respect to the Bureau of Land
12 Management, a special recreation permit for
13 commercial outfitting and guiding;

14 (F) with respect to the Bureau of Rec-
15 lamation, a use authorization for guiding, out-
16 fitting, or other recreational services;

17 (G) with respect to the Coast Guard, a li-
18 cense issued by the Coast Guard to operate an
19 uninspected passenger vessel described in sec-
20 tion 2101(51)(B) of title 46, United States
21 Code;

22 (H) with respect to the Corps of Engi-
23 neers, a contract for recreation services; and

24 (I) with respect to a State agency that
25 issues recreational special use permits to recre-

1 ation service providers, a special use agreement
2 for recreational services.

3 (b) ESTABLISHMENT OF FUND.—There is estab-
4 lished in the Treasury of the United States a fund, to be
5 known as the “Outfitters and Guides Relief Fund”.

6 (c) PAYMENTS TO ELIGIBLE ENTITIES.—

7 (1) IN GENERAL.—The Secretary shall use
8 amounts in the Fund to provide payments to eligible
9 entities in accordance with this section.

10 (2) COORDINATION.—In carrying out this sec-
11 tion, the Secretary shall coordinate with—

12 (A) the Secretary of Agriculture, acting
13 through the Chief of the Forest Service, in the
14 case of a special use permit issued by the For-
15 est Service;

16 (B) the Secretary of the Interior, in the
17 case of a special use permit issued by—

18 (i) the Department of the Interior; or

19 (ii) a State agency described in sub-
20 section (a)(4)(I);

21 (C) the Secretary of the department in
22 which the Coast Guard is operating, acting
23 though the Commandant of the Coast Guard, in
24 the case of a special use permit issued by the
25 Coast Guard; and

1 (D) the Secretary of Defense, in the case
2 of a special use permit issued by the Corps of
3 Engineers.

4 (d) APPLICATIONS.—

5 (1) IN GENERAL.—To receive a payment under
6 this section, not later than 18 months after the date
7 of enactment of this Act, an eligible entity shall sub-
8 mit to the Secretary an application to receive a pay-
9 ment.

10 (2) LIMITATION.—An eligible entity may sub-
11 mit applications under paragraph (1) not more fre-
12 quently than once every 90 days during the 18-
13 month period beginning on the date of enactment of
14 this Act.

15 (e) PAYMENTS.—

16 (1) IN GENERAL.—Subject to paragraphs (2)
17 and (3), the amount of a payment under this section
18 shall be an amount equal to the difference be-
19 tween—

20 (A) during the period that the eligible enti-
21 ty was unable to provide recreational services at
22 full capacity under a special use permit due to
23 a State or Federal action resulting from the
24 Coronavirus Disease 2019 (referred to in this

subsection as the “covered period”), the sum
obtained by adding—

(i) the operating and administrative
expenses, including payments to inde-
pendent contractors, of the eligible entity
directly relating to recreational services
under the special use permit, as calculated
based on the average of the 3 previous
years; and

(ii) the payroll expenses and owner
compensation of the eligible entity directly
relating to recreational services under the
special use permit, as calculated based on
the average of the 3 previous years; and

(B) the full gross revenue of the eligible
entity during the covered period directly relat-
ing to recreational services under the special
use permit.

(2) CERTAIN ENTITIES.—Subject to paragraph
(3), in the case of an eligible entity that has been
a holder of a special use permit for less than 3
years, the amount of a payment under this section
shall be an amount equal to the lesser of—

(A) the operating expenses of the eligible
entity during the covered period directly relat-

1 ing to recreational services under the special
2 use permit during the covered period; and

3 (B) \$30,000.

4 (3) LIMITATION.—An eligible entity shall not
5 receive any amount under this section that covers
6 expenses or compensation described in paragraphs
7 (1) and (2) for which assistance has been provided
8 under—

9 (A) section 7(a)(36) of the Small Business
10 Act (15 U.S.C. 636(a)(36));

11 (B) section 7(b)(2) of that Act (15 U.S.C.
12 636(b)(2)); or

13 (C) section 12005 of the CARES Act (15
14 U.S.C. 1512 note; Public Law 116–136).

15 (f) DUTIES OF ELIGIBLE ENTITIES.—

16 (1) IN GENERAL.—An eligible entity shall use a
17 payment received under this section to continue
18 business operations of the eligible entity.

19 (2) CONDITION.—As a condition on the receipt
20 of a payment under this section, an eligible entity
21 shall retain not less than—

22 (A) 70 percent of the full-time equivalent
23 positions of the eligible entity, based on the av-
24 erage number of full-time equivalent positions
25 of the eligible entity during the comparable pe-

1 riod, as determined by the Secretary, over the
2 3 previous years; and

3 (B) 60 percent of the contractor positions
4 of the eligible entity, based on the average num-
5 ber of contractor positions of the eligible entity
6 during the comparable period, as determined by
7 the Secretary, over the 3 previous years.

8 (g) APPROPRIATION.—There is appropriated, out of
9 amounts in the Treasury not otherwise appropriated,
10 \$2,000,000,000 to the Fund for the period of fiscal years
11 2021 and 2022, to remain available until expended.

12 **SEC. 4. EVERY KID OUTDOORS PROGRAM.**

13 Section 9001 of the John D. Dingell, Jr. Conserva-
14 tion, Management, and Recreation Act (16 U.S.C. 6804
15 note; Public Law 116–9) is amended—

16 (1) in subsection (a), by striking paragraph (5)
17 and inserting the following:

18 “(5) STUDENT.—The term ‘student’ means any
19 fourth, fifth, or sixth grader or home-schooled learn-
20 er 10 to 12 years of age residing in the United
21 States, including any territory or possession of the
22 United States.”; and

23 (2) in subsection (b)—

1 (A) in paragraph (2)(C), in the subpara-
2 graph heading, by striking “IN GRADE FOUR”;
3 and

4 (B) by striking paragraph (5).

5 **SEC. 5. FOREST SERVICE LEGACY ROADS AND TRAILS RE-**
6 **MEDIATION PROGRAM.**

7 Public Law 88–657 (16 U.S.C. 532 et seq.) (com-
8 monly known as the “Forest Roads and Trails Act”) is
9 amended by adding at the end the following:

10 **“SEC. 8. FOREST SERVICE LEGACY ROADS AND TRAILS RE-**
11 **MEDIATION PROGRAM.**

12 “(a) ESTABLISHMENT.—There is established the
13 Forest Service Legacy Roads and Trails Remediation Pro-
14 gram (referred to in this section as the ‘Program’).

15 “(b) ADMINISTRATION.—The Program shall be ad-
16 ministered by the Secretary, acting through the Chief of
17 the Forest Service (referred to in this section as the ‘Sec-
18 retary’).

19 “(c) NATIONAL STRATEGY.—The Secretary shall de-
20 velop a national strategy to carry out the Program in ac-
21 cordance with this section.

22 “(d) ACTIVITIES.—In carrying out the Program, the
23 Secretary shall—

1 “(1) carry out critical maintenance and urgent
2 repairs and associated activities on National Forest
3 System roads, trails, and bridges;

4 “(2) restore passages of fish and other aquatic
5 species by removing or replacing unnatural barriers
6 from those passages;

7 “(3) consider recreational access when improv-
8 ing water quality and habitat conditions; and

9 “(4) decommission roads in accordance with
10 subsection (h).

11 “(e) PRIORITY.—In implementing the Program, the
12 Secretary shall give priority to projects that protect or re-
13 store—

14 “(1) water quality;

15 “(2) a watershed that supplies a public drinking
16 water system;

17 “(3) the habitat of a threatened, endangered, or
18 sensitive fish or wildlife species; or

19 “(4) a watershed for which the Secretary has
20 completed a watershed protection and restoration ac-
21 tion plan pursuant to section 304 of the Healthy
22 Forests Restoration Act of 2003 (16 U.S.C. 6543).

23 “(f) NATIONAL FOREST SYSTEM.—Except with re-
24 spect to a project carried out on a watershed for which
25 the Secretary has entered into a cooperative agreement

1 under section 323 of the Department of the Interior and
2 Related Agencies Appropriations Act, 1999 (16 U.S.C.
3 1011a), each project carried out under this section shall
4 be on a National Forest System road or trail.

5 “(g) IDENTIFICATION OF MINIMUM ROAD SYS-
6 TEMS.—Not later than 3 years after the date of enactment
7 of this section, the Secretary shall identify, for each unit
8 of the National Forest System, the minimum road system
9 and unneeded roads in accordance with section 212.5(b)
10 of title 36, Code of Federal Regulations (as in effect on
11 the date of enactment of this Act).

12 “(h) UNNEEDED ROADS.—The Secretary shall de-
13 commission any roads identified as unneeded under sub-
14 section (g) as soon as practicable after making the identi-
15 fication under that subsection.

16 “(i) REVIEW; REVISION.—The Secretary shall review,
17 and may revise, an identification made under subsection
18 (g) for a unit of the National Forest System during a revi-
19 sion of the land and resource management plan applicable
20 to that unit.

21 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
22 is authorized to be appropriated to carry out this section
23 \$100,000,000 for each of fiscal years 2021 through
24 2030.”.

1 **SEC. 6. 21ST CENTURY CIVILIAN CONSERVATION CORPS.**

2 (a) ESTABLISHMENT OF 21ST CENTURY CIVILIAN
3 CONSERVATION CORPS.—Title I of the Workforce Innova-
4 tion and Opportunity Act (29 U.S.C. 3111 et seq.) is
5 amended—

6 (1) by redesignating subtitle E (29 U.S.C. 3241
7 et seq.) as subtitle F; and

8 (2) by inserting after subtitle D the following:

9 **“Subtitle E—21st Century Civilian**
10 **Conservation Corps**

11 **“SEC. 176. 21ST CENTURY CIVILIAN CONSERVATION CORPS**
12 **PROGRAM.**

13 “(a) DEFINITIONS.—In this section:

14 “(1) PROJECT PARTNER.—The term ‘project
15 partner’ means the Department of Agriculture, the
16 Interior, Homeland Security, Commerce, or Labor, a
17 State or local resource management agency, or an-
18 other entity responsible for community development
19 or climate adaption.

20 “(2) QUALIFIED YOUTH OR CONSERVATION
21 CORPS.—The term ‘qualified youth or conservation
22 corps’ means an entity carrying out a qualified
23 youth or conservation corps, as defined in section
24 203 of the Public Land Corps Act of 1993 (16
25 U.S.C. 1722).

1 “(3) QUALIFIED YOUTH OR CONSERVATION
2 CORPS CRITERIA.—The term ‘qualified youth or con-
3 servation corps criteria’ means the model and stand-
4 ards for a program described in section 203(11) of
5 the Public Land Corps Act of 1993 (16 U.S.C.
6 1722(11)).

7 “(b) ESTABLISHMENT.—The Secretary shall estab-
8 lish and carry out a 21st Century Civilian Conservation
9 Corps program. The program shall be carried out using
10 qualified youth or conservation corps criteria and through
11 Civilian Conservation Corps projects.

12 “(c) GRANTS.—In carrying out the 21st Century Ci-
13 vilian Conservation Corps program, the Secretary shall
14 make grants to eligible qualified youth or conservation
15 corps, acting in partnership with project partners, to carry
16 out Civilian Conservation Corps projects, in which the
17 grant funds are used to administer comprehensive youth
18 and workforce development programs.

19 “(d) APPLICATION.—

20 “(1) IN GENERAL.—To be eligible to receive a
21 grant under this section for a Civilian Conservation
22 Corps project, a qualified youth or conservation
23 corps shall submit an application to the Secretary,
24 at such time and in such manner as the Secretary
25 may require, that contains—

1 “(A) a description of the project, including
2 how the project relates to goals described in
3 subsection (e);

4 “(B) the scope of work and budget for the
5 project;

6 “(C) the number of enrollees needed to
7 carry out the project;

8 “(D) a description of the manner in which
9 the qualified youth or conservation corps shall
10 recruit, screen, and select enrollees;

11 “(E) a description of the manner in which
12 the qualified youth or conservation corps shall
13 recruit, train, and engage individuals from di-
14 verse backgrounds and underrepresented com-
15 munities as enrollees;

16 “(F) a description of the manner in which
17 the qualified youth or conservation corps will
18 provide, through the project—

19 “(i) education, work experience, and
20 work-based learning; and

21 “(ii) training, such as basic skills
22 training, the development of job-specific
23 occupational skills, or other training activi-
24 ties, designed to lead to the attainment of
25 an industry-recognized credential, includ-

1 ing a description of the training that leads
2 to the credential;

3 “(G) a description of the stipend, allow-
4 ance, or other benefits an enrollee in the project
5 will receive;

6 “(H) a description of the supportive serv-
7 ices that an enrollee in the project will receive;
8 and

9 “(I) information specifying how the quali-
10 fied youth or conservation corps will collect
11 such information on the project and enrollees as
12 the Secretary may require, and submit a report
13 containing that information to the Secretary.

14 “(2) APPLICATION PREFERENCE.—The Sec-
15 retary shall give preference to entities submitting
16 applications that describe how the project will—

17 “(A) serve communities historically im-
18 pacted by underinvestment or environmental in-
19 justice; or

20 “(B) engage youth from historically
21 disenfranchised populations.

22 “(e) ELIGIBLE USE OF FUNDS.—A qualified youth
23 or conservation corps may use funds distributed for each
24 Civilian Conservation Corps project, with goals relating to

1 conservation, outdoor recreation, or other environmental
 2 matters, for—

3 “(1) education, work experience, and workforce
 4 investment activities outlined in section 129(c)(2) re-
 5 lated to conservation, outdoor recreation, and other
 6 environmental industries;

7 “(2) other education and training activities that
 8 focus on career development in such industries;

9 “(3) activities leading to development and com-
 10 pletion of the project;

11 “(4) activities for data collection, management,
 12 and reporting;

13 “(5) other activities designed to lead to success-
 14 ful completion of the project and workforce develop-
 15 ment outcomes;

16 “(6) any administrative activities supporting
 17 the project; and

18 “(7) project monitoring activities.

19 “(f) QUALIFIED YOUTH OR CONSERVATION
 20 CORPS.—In carrying out projects under this section, the
 21 Secretary shall—

22 “(1) consult with the National Association of
 23 Service and Conservation Corps—

24 “(A) to establish standards used to iden-
 25 tify appropriate types of Civilian Conservation

1 Corps projects, and activities to be provided
 2 and workforce development outcomes sought,
 3 through those projects; and

4 “(B) to establish specific performance ac-
 5 countability measures for evaluating Civilian
 6 Conservation Corps projects; and

7 “(2) enter into a contract or cooperative agree-
 8 ment with the National Association of Service and
 9 Conservation Corps to develop recommendations for
 10 the standards and measures described in paragraph
 11 (1).”.

12 (b) CONFORMING AMENDMENTS.—

13 (1) ONE-STOP DELIVERY SYSTEMS.—Section
 14 121(b)(1)(C)(ii)(II) of the Workforce Innovation and
 15 Opportunity Act (29 U.S.C. 3151(b)(1)(C)(ii)(II)) is
 16 amended by striking “subtitles C through E” and
 17 inserting “subtitles C, D, and F”.

18 (2) TRANSITION.—Section 503(b) of the Work-
 19 force Innovation and Opportunity Act (29 U.S.C.
 20 3343(b)) is amended by inserting before the period
 21 at the end the following: “(as in effect on the day
 22 before the date of enactment of the Workforce Inno-
 23 vation and Opportunity Act)”.

1 (c) TABLE OF CONTENTS.—The table of contents in
 2 section 1(b) of the Workforce Innovation and Opportunity
 3 Act is amended—

4 (1) by striking the item relating to the subtitle
 5 heading for subtitle E of title I and inserting the fol-
 6 lowing:

“Subtitle F—Administration”;

7 and

8 (2) by inserting after the item relating to sec-
 9 tion 172 the following:

“Subtitle E—21st Century Civilian Conservation Corps

“Sec. 176. 21st Century Civilian Conservation Corps program.”.

10 **SEC. 7. TEMPORARY WAIVER OF SKI AREA PERMIT AND**
 11 **RENTAL FEES DURING THE COVID-19 PAN-**
 12 **DEMIC.**

13 (a) DEFINITIONS.—In this section:

14 (1) COVERED FEE.—The term “covered fee”
 15 means a ski area permit or rental fee authorized
 16 under—

17 (A) section 701 of division I of the Omni-
 18 bus Parks and Public Lands Management Act
 19 of 1996 (16 U.S.C. 497c);

20 (B) section 7 of the Act of April 24, 1950
 21 (64 Stat. 84, chapter 97; 16 U.S.C. 580d);

1 (C) section 302 of the Federal Land Policy
2 and Management Act of 1976 (43 U.S.C.
3 1732); or

4 (D) section 803(h) of the Federal Lands
5 Recreation Enhancement Act (16 U.S.C.
6 6802(h)).

7 (2) COVERED PERIOD.—The term “covered pe-
8 riod” means the period beginning on March 13,
9 2020, and ending on June 1, 2021.

10 (b) WAIVER OF COVERED FEES.—Notwithstanding
11 the provisions of law described in subparagraphs (A)
12 through (D) of subsection (a)(1), covered fees shall be
13 temporarily waived and not required to be paid to the
14 United States for the covered period, due to the COVID–
15 19 pandemic, if the following conditions are met:

16 (1) The applicable permit or lease was issued
17 before March 13, 2020.

18 (2) The applicable permit or lease is in effect
19 on the date of enactment of this Act.

20 (3) The applicable permit or lease holder was in
21 good standing as of March 13, 2020.

22 (c) REIMBURSEMENT.—Any covered fee paid to the
23 United States during the covered period shall be reim-
24 bursed, as soon as practicable after the date of enactment
25 of this Act, by the United States to the holder of the appli-

1 cable permit or lease under which the covered fee was
2 paid.

3 **SEC. 8. TEMPORARY WAIVER OF OUTDOOR RECREATION**

4 **LAND USE PERMIT FEES.**

5 (a) DEFINITIONS.—In this section:

6 (1) AUTHORIZATION.—The term “authoriza-
7 tion” means an authorization (including a special
8 use permit and a concession contract) for the holder
9 of the authorization to provide recreational services
10 and operations related to public recreation that was
11 executed by the Secretary concerned and the holder
12 of the authorization under a covered law.

13 (2) COVERED AUTHORIZATION.—The term
14 “covered authorization” means an authorization—

15 (A) that was awarded or issued by the Sec-
16 retary concerned before March 13, 2020;

17 (B) that is in effect on the date of enact-
18 ment of this Act, including an authorization
19 that is expired, but that, as of the date of en-
20 actment of this Act, the Secretary concerned is
21 continuing to treat as being in effect; and

22 (C) under which the holder was in good
23 standing as of March 13, 2020.

24 (3) COVERED FEE.—The term “covered fee”
25 means any fee owed under a covered authorization

1 that is accrued or otherwise based on revenues ob-
2 tained or operations conducted during the period be-
3 ginning on March 13, 2020, and ending on Decem-
4 ber 31, 2021.

5 (4) COVERED LAW.—The term “covered law”
6 means—

7 (A) the last paragraph under the heading
8 “FOREST SERVICE” in the Act of March 4,
9 1915 (16 U.S.C. 497);

10 (B) section 7 of the Act of April 24, 1950
11 (64 Stat. 84, chapter 97; 16 U.S.C. 580d);

12 (C) section 803(h) of the Federal Lands
13 Recreation Enhancement Act (16 U.S.C.
14 6802(h)); and

15 (D) subchapter II of chapter 1019 of title
16 54, United States Code.

17 (5) SECRETARY CONCERNED.—The term “Sec-
18 retary concerned” means—

19 (A) the Secretary of the Interior, with re-
20 spect to an authorization executed by the Sec-
21 retary of the Interior; and

22 (B) the Secretary of Agriculture, with re-
23 spect to an authorization executed by the Sec-
24 retary of Agriculture.

1 (b) COVERED FEE RELIEF.—Notwithstanding any
 2 other provision of law—

3 (1) any covered fees shall be waived and shall
 4 not be required to be paid to the Secretary con-
 5 cerned; and

6 (2) any covered fees that have been paid to the
 7 Secretary concerned before the date of enactment of
 8 this Act shall, as soon as practicable after the date
 9 of enactment of this Act, be reimbursed by the Sec-
 10 retary concerned to the holder of the covered author-
 11 ization under which the covered fee was paid.

12 (c) EXTENSION OF TERM OF COVERED AUTHORIZA-
 13 TIONS.—

14 (1) EXTENSION OF COVERED AUTHORIZA-
 15 TIONS.—Notwithstanding any other provision of law,
 16 the Secretary concerned shall extend the term of any
 17 covered authorization by an additional 2 years.

18 (2) LIMITATION.—Any extension under para-
 19 graph (1) shall be subject to any authority of the
 20 Secretary concerned to revoke an authorization, in-
 21 cluding for reasons based on the unsatisfactory per-
 22 formance of the holder of the authorization.

23 **SEC. 9. WORKFORCE TRAINING.**

24 (a) DEFINITION OF QUALIFIED YOUTH OR CON-
 25 SERVATION CORPS.—In this section, the term “qualified

1 youth or conservation corps” has the meaning given the
2 term in section 203 of Public Law 91–378 (commonly
3 known as the “Youth Conservation Corps Act of 1970”)
4 (16 U.S.C. 1722).

5 (b) TRAINING.—The Secretaries of Agriculture, the
6 Interior, Homeland Security, Commerce, and Labor shall
7 collaborate with institutions of higher education, the Corps
8 Network, the outdoor recreation business community, and
9 public land stewardship and outdoor recreation organiza-
10 tions to support institutions of higher education in devel-
11 oping, coordinating, and carrying out nationally consistent
12 and standardized training for all qualified youth or con-
13 servation corps participants.

14 (c) INCLUSIONS.—The training described in sub-
15 section (b) shall include—

16 (1) the foundations of Federal public land and
17 recreation management and stewardship;

18 (2) principles of sustainable outdoor recreation
19 and resource management;

20 (3) recreation and resource management job-
21 specific occupational skills; and

22 (4) other basic skills training to ensure that
23 qualified youth or conservation corps participants
24 are—

1 (A) prepared for their work with the quali-
 2 fied youth or conservation corps; and

3 (B) prepared for careers relating to con-
 4 servation, outdoor recreation, and other envi-
 5 ronmental industries after serving in the quali-
 6 fied youth or conservation corps.

7 **SEC. 10. REFORESTATION.**

8 (a) REFORESTATION TRUST FUND.—

9 (1) IN GENERAL.—Section 303 of Public Law
 10 96–451 (16 U.S.C. 1606a) is amended—

11 (A) in subsection (b)—

12 (i) in paragraph (1), by striking
 13 “Subject to” and all that follows through
 14 “the Secretary” and inserting “The Sec-
 15 retary”;

16 (ii) by striking paragraph (2); and

17 (iii) by redesignating paragraph (3) as
 18 paragraph (2);

19 (B) in subsection (d)—

20 (i) in the matter preceding paragraph
 21 (1)—

22 (I) by striking the subsection
 23 designation and all that follows
 24 through “The Secretary” and insert-
 25 ing the following:

1 “(d) REFORESTATION BY SECRETARY OF AGRI-
2 CULTURE.—The Secretary”; and

3 (II) by striking “for”;

4 (ii) in paragraph (1)—

5 (I) by inserting “for” before “re-
6 forestation”; and

7 (II) by striking “and” at the end;

8 (iii) by redesignating paragraph (2) as
9 paragraph (4);

10 (iv) by inserting after paragraph (1)

11 the following:

12 “(2) to the Chief of the Forest Service to refor-
13 est National Forest System land determined to be in
14 need of active reforestation based on field surveys
15 that have been conducted after sufficient time has
16 elapsed to determine regeneration potential based on
17 forest type, aspect, and elevation, in accordance with
18 subsection (f), by planting the maximum reasonable
19 number of trees according to the best available
20 science;

21 “(3) to carry out the Reforest America Grant
22 Program established under section 6 of the Coopera-
23 tive Forestry Assistance Act of 1978; and”; and

1 (v) in paragraph (4) (as so redesign-
 2 nated), by inserting “for” before “prop-
 3 erly”; and

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

5 “(e) REFORESTATION BY SECRETARY OF THE INTE-
 6 RIOR.—The Secretary of the Interior shall obligate such
 7 sums from the Trust Fund as are necessary to reforest
 8 land managed by the Bureau of Land Management and
 9 land managed by the Bureau of Indian Affairs determined
 10 to be in need of active reforestation based on field surveys
 11 that have been conducted after sufficient time has elapsed
 12 to determine regeneration potential based on forest type,
 13 aspect, and elevation, in accordance with subsection (f),
 14 by planting the maximum reasonable number of trees ac-
 15 cording to the best available science.

16 “(f) REFORESTATION.—

17 “(1) DEFINITION OF CONNECTIVITY.—In this
 18 subsection, the term ‘connectivity’ means the degree
 19 to which the landscape facilitates native species
 20 movement.

21 “(2) REFORESTATION.—

22 “(A) IN GENERAL.—Reforestation under
 23 subsections (d)(2) and (e) shall consist of eco-
 24 logically based site preparation, tree planting,

1 and subsequent management using practices
2 that—

3 “(i) are informed by climate change
4 science and the importance of spatial pat-
5 tern;

6 “(ii) enhance forest health, resilience,
7 and biodiversity; and

8 “(iii) reduce vulnerability to future
9 forest mortality and catastrophic wildfire.

10 “(B) POST-WILDFIRE REFORESTATION.—

11 In the case of reforestation under subsections
12 (d)(2) and (e), sums available in the Trust
13 Fund shall not be used—

14 “(i) for post-wildfire salvage logging;

15 or

16 “(ii) in any area that has been salvage
17 logged during the preceding 10-year pe-
18 riod.

19 “(3) PRIORITY.—In carrying out reforestation
20 under subsections (d)(2) and (e), the Chief of the
21 Forest Service and the Secretary of the Interior, as
22 applicable, shall give priority to planting—

23 “(A) on land that was subject to a mor-
24 tality event caused by a high intensity wildfire,

1 pest infestation, invasive species, or drought or
2 other extreme weather;

3 “(B) that will restore and maintain resil-
4 ient landscapes;

5 “(C) on land on which the planting pro-
6 vides increased habitat connectivity for wildlife;
7 and

8 “(D) that will provide the largest potential
9 long-term increase in carbon sequestration.

10 “(g) MANDATORY FUNDING.—To carry out para-
11 graphs (2) and (3) of subsection (d) and subsection (e),
12 the Secretary of the Treasury shall transfer from the gen-
13 eral fund of the Treasury into the Trust Fund
14 \$3,500,000,000 for fiscal year 2022 and each fiscal year
15 thereafter, to remain available until expended.”.

16 (2) REGULATIONS.—Not later than 180 days
17 after the date of enactment of this Act, the Sec-
18 retary of Agriculture and the Secretary of the Inte-
19 rior shall issue regulations necessary to carry out
20 the amendments made by this section.

21 (b) REFOREST AMERICA GRANT PROGRAM.—The Co-
22 operative Forestry Assistance Act of 1978 is amended by
23 inserting after section 5 (16 U.S.C. 2103a) the following:

24 **“SEC. 6. REFOREST AMERICA GRANT PROGRAM.**

25 “(a) DEFINITIONS.—In this section:

1 “(1) COMMUNITY OF COLOR.—The term ‘com-
 2 munity of color’ means, in a State, a census block
 3 group in an urban area for which the aggregate per-
 4 centage of residents who identify as Black, African-
 5 American, Asian, Pacific Islander, Hispanic, Latino,
 6 other non-White race, or linguistically isolated is—

7 “(A) not less than 50 percent; or

8 “(B) is significantly higher than the State
 9 average.

10 “(2) ELIGIBLE COST.—The term ‘eligible cost’
 11 means, with respect to a project of an eligible entity
 12 under the Program—

13 “(A) the cost of implementing a reforest-
 14 ation project, including by—

15 “(i) planning and designing the refor-
 16 estation activity, including considering rel-
 17 evant science;

18 “(ii) establishing tree nurseries;

19 “(iii) purchasing trees; and

20 “(iv) ecologically based site prepara-
 21 tion, including the labor and cost associ-
 22 ated with the use of machinery;

23 “(B) the cost of maintaining and moni-
 24 toring planted trees for a period of up to 3

1 years to ensure successful establishment of the
2 trees;

3 “(C) with respect to reforestation in an
4 urban area under subsection (e) in a low in-
5 come community that has an existing tree can-
6 opy cover of not more than 20 percent, not
7 more than 50 percent of the cost of the mainte-
8 nance of any nearby tree canopy; and

9 “(D) any other relevant cost, as deter-
10 mined by the Secretary.

11 “(3) ELIGIBLE ENTITY.—The term ‘eligible en-
12 tity’ means—

13 “(A) a State agency;

14 “(B) a local governmental entity;

15 “(C) an Indian Tribe; and

16 “(D) a nonprofit organization.

17 “(4) ELIGIBLE LAND.—

18 “(A) IN GENERAL.—The term ‘eligible
19 land’ means—

20 “(i) land owned in fee simple by an el-
21 igible entity—

22 “(I)(aa) for which, at the time of
23 application to the Program under sub-
24 section (c), the forest stocking level of
25 the land is less than 25 percent of re-

1 gional norms for forest properties
 2 with comparable tree species and soil
 3 characteristics; and

4 “(bb) that is in need of active re-
 5 forestation due to events such as—

6 “(AA) high intensity wild-
 7 fire;

8 “(BB) pest infestation;

9 “(CC) invasive species; and

10 “(DD) drought and other
 11 extreme weather; or

12 “(II) that was formerly forest
 13 land and has been abandoned or in-
 14 completely reclaimed from mining,
 15 commercial development, clearing for
 16 agriculture, or other nonforest use;
 17 and

18 “(ii) with respect to reforestation in
 19 an urban area under subsection (e), land
 20 in that urban area that is owned in fee
 21 simple by an eligible entity.

22 “(B) EXCLUSION.—The term ‘eligible land’
 23 does not include land on which the eligible enti-
 24 ty conducted a timber harvest—

1 “(i) not later than 5 years before the
 2 date on which the eligible entity submits
 3 an application under subsection (c); and

4 “(ii) that resulted in a forest stocking
 5 level described in subparagraph
 6 (A)(i)(I)(aa).

7 “(5) INDIAN TRIBE.—The term ‘Indian Tribe’
 8 has the meaning given the term ‘Indian tribe’ in sec-
 9 tion 4 of the Indian Self-Determination and Edu-
 10 cation Assistance Act (25 U.S.C. 5304).

11 “(6) LOCAL GOVERNMENTAL ENTITY.—The
 12 term ‘local governmental entity’ means any munic-
 13 ipal government or county government with jurisdic-
 14 tion over local land use decisions.

15 “(7) LOW INCOME COMMUNITY.—The term ‘low
 16 income community’ means any census block group in
 17 an urban area in which not less than 30 percent of
 18 the population lives below the poverty line (as de-
 19 fined in section 673 of the Community Services
 20 Block Grant Act (42 U.S.C. 9902)).

21 “(8) NONPROFIT ORGANIZATION.—The term
 22 ‘nonprofit organization’ means an organization
 23 that—

24 “(A) is described in section 170(h)(3) of
 25 the Internal Revenue Code of 1986; and

1 “(B) operates in accordance with 1 or
2 more of the purposes described in section
3 170(h)(4)(A) of that Code.

4 “(9) PROGRAM.—The term ‘Program’ means
5 the Reforest America Grant Program established
6 under subsection (b)(1).

7 “(10) SECRETARY.—The term ‘Secretary’
8 means the Secretary of Agriculture, acting through
9 the Chief of the Forest Service.

10 “(11) URBAN AREA.—The term ‘urban area’
11 means an area identified by the Bureau of the Cen-
12 sus as an ‘urban area’ in the most recent census.

13 “(b) ESTABLISHMENT.—

14 “(1) IN GENERAL.—The Secretary shall estab-
15 lish a program, to be known as the ‘Reforest Amer-
16 ica Grant Program’, under which the Secretary shall
17 award grants to eligible entities to conduct projects
18 to reforest eligible land in accordance with this sec-
19 tion.

20 “(2) REFORESTATION.—In carrying out the
21 Program, the Secretary shall, to the maximum ex-
22 tent practicable, award sufficient grants each year to
23 plant the maximum reasonable number of trees ac-
24 cording to the best available science.

25 “(c) APPLICATIONS.—

1 “(1) IN GENERAL.—An eligible entity that
2 seeks to receive a grant under the Program shall
3 submit an application at such time, in such form,
4 and containing such information as the Secretary
5 may require, including the information described in
6 paragraph (2), to—

7 “(A) the State forester or equivalent offi-
8 cial of the State in which the eligible entity is
9 located; or

10 “(B) in the case of an eligible entity that
11 is an Indian Tribe, an official of the governing
12 body of the Indian Tribe.

13 “(2) CONTENTS.—An application submitted
14 under paragraph (1) shall include—

15 “(A) the reason that the forest stocking
16 level of the land is less than 25 percent of re-
17 gional norms for forest properties with com-
18 parable tree species and soil characteristics, if
19 applicable;

20 “(B) the natural, economic, and environ-
21 mental benefits of returning the eligible land to
22 forested condition;

23 “(C) an estimate of the annual carbon se-
24 questration that will be achieved by the re-

1 planted forests, using processes determined by
2 the Secretary;

3 “(D) a reforestation plan that includes—

4 “(i) a list of expected eligible costs;

5 “(ii) a description of the site prepara-
6 tion and the tree species to be planted;

7 “(iii) a description of the manner in
8 which the design of the project is informed
9 by climate change science and will enhance
10 forest health, resilience, and biodiversity;

11 “(iv) an explanation of the manner in
12 which the land will be maintained for 36
13 months after planting to ensure successful
14 establishment; and

15 “(v) an explanation of the manner in
16 which the land will be managed later than
17 36 months after planting, including wheth-
18 er that management shall include a timber
19 harvest;

20 “(E) in the case of an application for an
21 urban reforestation project under subsection
22 (e)—

23 “(i) a description of the manner in
24 which the tree planting shall address dis-

1 parities in local environmental quality,
2 such as lower tree canopy cover; and

3 “(ii) a description of the anticipated
4 community and stakeholder engagement in
5 the project; and

6 “(F) any other relevant information re-
7 quired by the Secretary.

8 “(3) APPLICATIONS TO SECRETARY.—Each offi-
9 cial that receives an application under paragraph (1)
10 shall submit the application to the Secretary with a
11 description of the application and any other relevant
12 information that the Secretary may require.

13 “(d) PRIORITY.—

14 “(1) DEFINITION OF CONNECTIVITY.—In this
15 subsection, the term ‘connectivity’ means the degree
16 to which the landscape facilitates native species
17 movement.

18 “(2) PRIORITY.—In awarding grants under the
19 Program, the Secretary shall give priority—

20 “(A) to projects that provide the largest
21 potential increase in carbon sequestration per
22 dollar;

23 “(B) to projects that provide increased
24 habitat connectivity for wildlife;

1 “(C) to projects under which an eligible
2 entity will enter into a contract or cooperative
3 agreement with 1 or more qualified youth or
4 conservation corps (as the term is defined in
5 section 203 of Public Law 91–378 (commonly
6 known as the ‘Youth Conservation Corps Act of
7 1970’) (16 U.S.C. 1722)); and

8 “(D) in the case of urban reforestation
9 projects under subsection (e), to projects that—

10 “(i) are located in a community of
11 color or a low-income community;

12 “(ii) are located in a neighborhood
13 with poor local environmental quality, in-
14 cluding lower tree canopy cover and higher
15 maximum daytime summer temperatures;

16 “(iii) are located in a neighborhood
17 with high amounts of senior citizens or
18 children;

19 “(iv) are located immediately adjacent
20 to large numbers of residents;

21 “(v) will collaboratively engage neigh-
22 bors and community members that will be
23 closely affected by the tree planting in as
24 many aspects of project development and
25 implementation as possible; and

1 “(vi) will employ a substantial per-
 2 centage of the workforce locally, with a
 3 focus on engaging unemployed and under-
 4 employed persons in communities of color
 5 and low-income communities.

6 “(e) URBAN REFORESTATION.—

7 “(1) IN GENERAL.—In carrying out the Pro-
 8 gram, the Secretary shall award sufficient grants
 9 each year to projects carried out in urban areas to
 10 plant, to the maximum extent practicable—

11 “(A) 5,000,000 trees in each of calendar
 12 years 2022 through 2024;

13 “(B) 10,000,000 trees in each of calendar
 14 years 2025 through 2028; and

15 “(C) 15,000,000 trees in calendar year
 16 2029 and each calendar year thereafter.

17 “(2) FEDERAL SHARE.—The Secretary shall
 18 award a grant to an eligible entity under the Pro-
 19 gram to conduct a reforestation project in an urban
 20 area in an amount equal to not more than 90 per-
 21 cent of the cost of reforesting the eligible land, as
 22 determined by the Secretary.

23 “(3) MATCHING REQUIREMENT.—As a condi-
 24 tion of receiving a grant described in paragraph (2),
 25 an eligible entity shall provide, in cash or through

1 in-kind contributions from non-Federal sources,
 2 matching funds in an amount equal to not less than
 3 10 percent of the cost of reforesting the eligible
 4 land, as determined by the Secretary.

5 “(f) PROHIBITED CONVERSION TO NONFOREST
 6 USE.—

7 “(1) IN GENERAL.—Subject to paragraphs (2)
 8 and (3), an eligible entity that receives a grant
 9 under the Program shall not sell or convert land
 10 that was reforested under the Program to nonforest
 11 use.

12 “(2) REIMBURSEMENT OF FUNDS.—An eligible
 13 entity that receives a grant under this Program and
 14 sells or converts land that was reforested under the
 15 Program to nonforest use shall pay to the Federal
 16 Government an amount equal to the greater of—

17 “(A) the amount of the grant; and

18 “(B) the current appraised value of timber
 19 stocks on that land.

20 “(3) LOSS OF ELIGIBILITY.—An eligible entity
 21 that receives a grant under this Program and sells
 22 or converts land that was reforested under the Pro-
 23 gram to nonforest use shall not be eligible for addi-
 24 tional grants under the Program.

25 “(g) COSTS.—

1 “(1) FEDERAL SHARE.—Unless otherwise pro-
2 vided under this section, the Secretary shall award
3 a grant to an eligible entity under the Program in
4 an amount equal to not more than 75 percent of the
5 cost of reforesting the eligible land, as determined by
6 the Secretary.

7 “(2) MATCHING REQUIREMENT.—Unless other-
8 wise provided under this section, as a condition of
9 receiving a grant under the Program, an eligible en-
10 tity shall provide, in cash or through in-kind con-
11 tributions from non-Federal sources, matching funds
12 in an amount equal to not less than 25 percent of
13 the cost of reforesting the eligible land, as deter-
14 mined by the Secretary.

15 “(h) PLANTING SURVIVAL.—An eligible entity that
16 receives a grant under the Program shall—

17 “(1) not later than 36 months after planting
18 has been completed using the grant funds, submit to
19 the responsible State or Tribal official, as applicable,
20 a monitoring report that describes project implemen-
21 tation, including the survival rate of all plantings
22 made under the grant; and

23 “(2) if the survival rate reported in the moni-
24 toring report under paragraph (1) is, after 36
25 months, less than the required minimum survival

1 rate for the geographic area in which the planting
2 is located, as determined by a State forester or
3 equivalent State or Tribal official, as applicable, re-
4 plant tree seedlings in a quantity equivalent to half
5 of the original planting, using comparable means to
6 the original planting.

7 “(i) PREVAILING WAGE REQUIREMENT.—Any con-
8 tractor or subcontractor entering into a service contract
9 in connection with a project under the Program shall—

10 “(1) be treated as a Federal contractor or sub-
11 contractor for purposes of chapter 67 of title 41,
12 United States Code (commonly known as the
13 ‘McNamara-O’Hara Service Contract Act of 1965’);
14 and

15 “(2) pay each class of employee employed by
16 the contractor or subcontractor wages and fringe
17 benefits at rates in accordance with prevailing rates
18 for the class in the locality, or, where a collective-
19 bargaining agreement covers the employee, in ac-
20 cordance with the rates provided for in the agree-
21 ment, including prospective wage increases provided
22 for in the agreement.

23 “(j) REPORT.—The Secretary shall annually submit
24 to the relevant committees of Congress a report that de-
25 scribes the activities of the Program, including the total

1 amount of carbon sequestered by replanted forests during
 2 the year covered by the report.

3 “(k) FUNDING.—

4 “(1) IN GENERAL.—Of the funds of the Refor-
 5 estation Trust Fund established under section 303
 6 of Public Law 96–451 (16 U.S.C. 1606a), the Sec-
 7 retary shall use such sums as are necessary to carry
 8 out the Program.

9 “(2) ADMINISTRATIVE COSTS AND TECHNICAL
 10 ASSISTANCE.—Of the funds used under paragraph
 11 (1), the Secretary shall allocate not more than 10
 12 percent for each fiscal year to State foresters or
 13 equivalent officials, including equivalent officials of
 14 Indian Tribes, for administrative costs and technical
 15 assistance under the Program.”.

16 **SEC. 11. CONSERVATION STEWARDSHIP PROGRAM.**

17 (a) SUPPLEMENTAL PAYMENTS FOR CLIMATE STEW-
 18 ARDSHIP PRACTICES.—Section 1240L(d) of the Food Se-
 19 curity Act of 1985 (16 U.S.C. 3839aa–24(d)) is amend-
 20 ed—

21 (1) in the subsection heading, by striking “RO-
 22 TATIONS AND ADVANCED GRAZING MANAGEMENT”
 23 and inserting “ROTATIONS, ADVANCED GRAZING
 24 MANAGEMENT, AND CLIMATE STEWARDSHIP PRAC-
 25 TICES”;

1 (2) in paragraph (1)—

2 (A) by redesignating subparagraphs (B)
3 and (C) as subparagraphs (C) and (D), respec-
4 tively; and

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

7 “(B) CLIMATE STEWARDSHIP PRACTICE.—
8 The term ‘climate stewardship practice’ means
9 any of the following practices:

10 “(i) Alley cropping.

11 “(ii) Biochar incorporation.

12 “(iii) Conservation cover.

13 “(iv) Conservation crop rotation.

14 “(v) Contour buffer strips.

15 “(vi) Contour farming.

16 “(vii) Cover crops.

17 “(viii) Critical area planting.

18 “(ix) Cross wind trap strips.

19 “(x) Field borders.

20 “(xi) Filter strips.

21 “(xii) Forage and biomass planting,
22 including the use of native prairie seed
23 mixtures.

24 “(xiii) Forest stand improvements.

25 “(xiv) Grassed waterways.

- 1 “(xv) Hedgerow planting.
- 2 “(xvi) Herbaceous wind barriers.
- 3 “(xvii) Multistory cropping.
- 4 “(xviii) Nutrient management, includ-
- 5 ing nitrogen stewardship activities.
- 6 “(xix) Prescribed grazing.
- 7 “(xx) Range planting.
- 8 “(xxi) Residue and tillage manage-
- 9 ment with no till.
- 10 “(xxii) Residue and tillage manage-
- 11 ment with reduced till.
- 12 “(xxiii) Riparian forest buffers.
- 13 “(xxiv) Riparian herbaceous buffers.
- 14 “(xxv) Silvopasture establishment.
- 15 “(xxvi) Stripcropping.
- 16 “(xxvii) Tree and shrub establish-
- 17 ment, including planting for a high rate of
- 18 carbon sequestration.
- 19 “(xxviii) Upland wildlife habitat.
- 20 “(xxix) Vegetative barriers.
- 21 “(xxx) Wetland restoration.
- 22 “(xxxi) Windbreak renovation.
- 23 “(xxxii) Windbreaks and shelterbelts.
- 24 “(xxxiii) Woody residue treatment.

1 “(xxxiv) Any other vegetative or man-
 2 agement conservation activity that signifi-
 3 cantly—

4 “(I) reduces greenhouse gas
 5 emissions;

6 “(II) increases carbon sequestra-
 7 tion; or

8 “(III) enhances resilience to in-
 9 creased weather volatility.”;

10 (3) in paragraph (2)—

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

13 (B) in subparagraph (B), by striking the
 14 period at the end and inserting “; or”; and

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

16 “(C) conservation activities relating to cli-
 17 mate stewardship practices.”; and

18 (4) in paragraph (3), by striking “rotations or
 19 advanced grazing management” and inserting “rota-
 20 tions, advanced grazing management, or conserva-
 21 tion activities relating to climate stewardship prac-
 22 tices”.

23 (b) PAYMENT LIMITATIONS.—Section 1240L(f) of
 24 the Food Security Act of 1985 (16 U.S.C. 3839aa–24(f))
 25 is amended by striking “fiscal years 2019 through 2023”

1 and inserting “the period of fiscal years 2019 through
 2 2023, the period of fiscal years 2024 through 2028, or
 3 the period of fiscal years 2029 through 2033”.

4 (c) FUNDING.—Section 1241 of the Food Security
 5 Act of 1985 (16 U.S.C. 3841) is amended—

6 (1) in subsection (a)—

7 (A) in the matter preceding paragraph (1),
 8 by striking “2023” and inserting “2030”; and

9 (B) in paragraph (3)(B)—

10 (i) in clause (ii), by striking
 11 “\$725,000,000” and inserting
 12 “\$1,725,000,000”;

13 (ii) in clause (iii), by striking
 14 “\$750,000,000” and inserting
 15 “\$2,750,000,000”;

16 (iii) in clause (iv)—

17 (I) by striking “\$800,000,000”
 18 and inserting “\$3,800,000,000”; and

19 (II) by striking “and” at the end;

20 (iv) in clause (v)—

21 (I) by striking “\$1,000,000,000”
 22 and inserting “\$5,000,000,000”; and

23 (II) by striking the period at the
 24 end and inserting a semicolon; and

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

1 “(vi) \$6,000,000,000 for fiscal year
2 2024; and

3 “(vii) \$7,000,000,000 for each of fis-
4 cal years 2025 through 2030.”;

5 (2) in subsection (b), by striking “2023” and
6 inserting “2030”; and

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

8 “(k) FUNDING FOR CLIMATE STEWARDSHIP PRAC-
9 TICES.—Of the funds made available under subsection
10 (a)(3)(B), the Secretary shall set aside the following
11 amounts to be used exclusively to enroll in the conserva-
12 tion stewardship program contracts comprised predomi-
13 nantly of conservation activities relating to climate stew-
14 ardship practices (as defined in section 1240L(d)(1)) or
15 bundles of practices comprised predominantly of conserva-
16 tion activities relating to climate stewardship practices (as
17 so defined):

18 “(1) \$1,000,000,000 for fiscal year 2021.

19 “(2) \$2,000,000,000 for fiscal year 2022.

20 “(3) \$3,000,000,000 for fiscal year 2023.

21 “(4) \$4,000,000,000 for fiscal year 2024.

22 “(5) \$5,000,000,000 for each of fiscal years
23 2025 through 2030.”.

1 **SEC. 12. EMERGENCY DESIGNATION.**

2 (a) IN GENERAL.—The amounts provided by this Act
3 and the amendments made by this Act are designated as
4 an emergency requirement pursuant to section 4(g) of the
5 Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

6 (b) DESIGNATION IN SENATE.—In the Senate, this
7 Act and the amendments made by this Act are designated
8 as an emergency requirement pursuant to section 4112(a)
9 of H. Con. Res. 71 (115th Congress), the concurrent reso-
10 lution on the budget for fiscal year 2018.

○