

116TH CONGRESS
2D SESSION

H. R. 5859

To establish forest management, reforestation, and utilization practices which lead to the sequestration of greenhouse gases, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2020

Mr. WESTERMAN (for himself, Mr. MCCARTHY, Mr. WITTMAN, Mr. CRENSHAW, Mr. BARR, Mr. STAUBER, Mr. BURCHETT, Mr. BACON, Mr. STIVERS, and Mr. JOYCE of Ohio) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committees on Foreign Affairs, Natural Resources, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish forest management, reforestation, and utilization practices which lead to the sequestration of greenhouse gases, 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 “Trillion Trees Act”.

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

- Sec. 1. Short title; table of contents.
 Sec. 2. Sense of Congress.
 Sec. 3. Definitions.

TITLE I—CARBON SEQUESTRATION THROUGH REFORESTATION
 ACTIVITIES

- Sec. 101. National wood growth targets.
 Sec. 102. National reforestation task force.
 Sec. 103. Timber survey update.
 Sec. 104. Reforestation programs.
 Sec. 105. Carbon sequestration through the healthy forest reserve program.
 Sec. 106. National Forest Foundation activities.
 Sec. 107. Global climate change program.
 Sec. 108. International forestry cooperation.
 Sec. 109. International engagement.
 Sec. 110. Modifications to authorities relating to tropical forests.

TITLE II—CARBON SEQUESTRATION THROUGH IMPROVED
 FOREST MANAGEMENT ACTIVITIES

- Sec. 201. Carbon sequestration through land use planning; supplements to programmatic environmental impact statements.
 Sec. 202. Emissions consideration of management injunctions.
 Sec. 203. Storing carbon on State and private forests.
 Sec. 204. Carbon sequestration through the good neighbor authority.
 Sec. 205. Carbon sequestration research programs.

TITLE III—MARKET INCENTIVES FOR CARBON SEQUESTRATION

- Sec. 301. Sustainable building and residence credit.
 Sec. 302. Carbon neutrality of sustainable biomass.
 Sec. 303. Clarification of research and development program for cellulosic biochemical and bioplastics.

1 SEC. 2. SENSE OF CONGRESS.

2 It is the sense of Congress that—

3 (1) the Trillion Trees Initiative established by
 4 the United Nations Environment Programme should
 5 be supported;

6 (2) under such Trillion Trees Initiative, na-
 7 tions, corporations, and individuals around the globe
 8 will contribute to planting one trillion new trees;

9 (3) one trillion new trees globally would seques-
 10 ter a significant amount of atmospheric carbon and

1 constitute a pragmatic step towards addressing glob-
2 al carbon emissions; and

3 (4) under this Act, the United States will—

4 (A) take a leadership role in planting one
5 trillion trees globally;

6 (B) utilize the vast natural assets, robust
7 wood product market, and technical expertise of
8 the United States to plant, manage, and utilize
9 domestic forestland; and

10 (C) incentivize the use of sustainable build-
11 ing products to sequester carbon.

12 **SEC. 3. DEFINITIONS.**

13 In this Act:

14 (1) FOREST PLAN.—The term “forest plan”
15 means—

16 (A) a land use plan prepared by the Bu-
17 reau of Land Management for public lands pur-
18 suant to section 202 of the Federal Land Policy
19 and Management Act of 1976 (43 U.S.C.
20 1712); or

21 (B) a land and resource management plan
22 prepared by the Forest Service for a unit of the
23 National Forest System pursuant to section 6
24 of the Forest and Rangeland Renewable Re-

1 sources Planning Act of 1974 (16 U.S.C.
2 1604).

3 (2) FOREST MANAGEMENT ACTIVITY.—The
4 term “forest management activity” means a project
5 or activity carried out by the Secretary concerned on
6 National Forest System lands or public lands con-
7 sistent with the forest plan covering the lands.

8 (3) NATIONAL FOREST SYSTEM.—The term
9 “National Forest System” has the meaning given
10 that term in section 11(a) of the Forest and Range-
11 land Renewable Resources Planning Act of 1974 (16
12 U.S.C. 1609(a)).

13 (4) NATURALLY REGENERATED.—The term
14 “naturally regenerated” means to regenerate natural
15 wood growth from—

16 (A) available seed sources; or

17 (B) any other environmental process that
18 does not involve planting.

19 (5) PUBLIC LANDS.—The term “public lands”
20 has the meaning given that term in section 103 of
21 the Federal Land Policy and Management Act of
22 1976 (43 U.S.C. 1702).

23 (6) SECRETARY.—The term “Secretary” means
24 the Secretary of Agriculture.

1 (7) SECRETARY CONCERNED.—The term “Sec-
2 retary concerned” means—

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

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

7 (8) SECRETARIES.—The term “Secretaries”
8 means the Secretary of Agriculture and the Sec-
9 retary of Interior.

10 **TITLE I—CARBON SEQUESTRA-**
11 **TION THROUGH REFOREST-**
12 **ATION ACTIVITIES**

13 **SEC. 101. NATIONAL WOOD GROWTH TARGETS.**

14 Not later than 2 years after the date of the enact-
15 ment of this Act, the Secretary shall set targets for in-
16 creased total domestic wood growth for the purposes of
17 capturing and storing carbon. Such targets shall—

18 (1) be based on the best available scientific in-
19 formation;

20 (2) consider both naturally regenerated wood
21 growth and planted wood growth;

22 (3) be established at levels which represent the
23 maximum feasible increase in the total wood volume
24 private, State, and Federal landowners can achieve

1 by January 1, 2030, and every 10 years thereafter
2 through January 1, 2100;

3 (4) shall be informed by the report provided by
4 the National Reforestation Task Force established in
5 section 102 of this Act;

6 (5) shall not negatively impact continued sus-
7 tainable harvest on National Forest, State, Tribal,
8 and private forestland; and

9 (6) be published in the Federal Register, to-
10 gether with a statement of the basis and justification
11 for such targets.

12 **SEC. 102. NATIONAL REFORESTATION TASK FORCE.**

13 (a) ESTABLISHMENT.—Within 6 months following
14 enactment of this Act, the Secretary shall form a task
15 force to assist the Secretary with meeting the targets re-
16 quired to be set under section 101.

17 (b) DUTIES OF THE TASK FORCE.—

18 (1) REPORT.—Within 1 year following the es-
19 tablishment of this task force, the task force shall
20 submit to the Secretary a report, which shall in-
21 clude—

22 (A) recommendations and alternatives for
23 national wood growth targets established under
24 section 101;

1 (B) the feasibility of such recommenda-
2 tions;

3 (C) yearly growth targets required to
4 achieve the national wood growth targets estab-
5 lished under section 101, taking into consider-
6 ation yearly sustainable increases in domestic
7 timber harvest, natural regeneration, adverse
8 natural and anthropogenic events, and other
9 factors impacting the growth rate of all domes-
10 tic forestland;

11 (D) program and policy recommendations
12 designed to achieve the national wood growth
13 targets established under section 101, while still
14 maintaining yearly sustainable increases in the
15 amount of boardfeet harvested from public
16 lands;

17 (E) program and policy recommendations
18 designed to stimulate the domestic and inter-
19 national timber markets; and

20 (F) program and policy recommendations
21 designed to improve the natural regeneration
22 rate of public forest through active forest man-
23 agement.

24 (2) OVERSIGHT.—Following the submission of
25 the report described in paragraph (1), the task force

1 shall provide continued oversight of the implementa-
2 tion of the national wood growth target, and provide
3 the Secretary with—

4 (A) yearly reports on the progress made
5 towards achieving the national wood growth
6 targets established under section 101; and

7 (B) ongoing program and policy rec-
8 ommendations designed to achieve the national
9 wood growth targets established under section
10 101.

11 (3) REPORTS TO CONGRESS.—The task force
12 shall—

13 (A) submit to Congress a copy of the re-
14 port under paragraph (1); and

15 (B) not later than 2 years after the report
16 under paragraph (1) is submitted to the Sec-
17 retary and Congress, and every 5 years there-
18 after, submit a report to Congress on the imple-
19 mentation of, and progress towards meeting,
20 the targets set under section 101.

21 (c) MEMBERSHIP.—

22 (1) APPOINTMENT.—The task force shall con-
23 sist of 7 ex officio members and 8 discretionary
24 members.

1 (A) EX OFFICIO MEMBERS.—The ex officio
2 members of the task force are—

3 (i) the Director of the United States
4 Fish and Wildlife Service or an individual
5 designated by the Director;

6 (ii) the Director of the Bureau of
7 Land Management or an individual des-
8 ignated by the Director;

9 (iii) the Director of the National Park
10 Service or an individual designated by the
11 Director;

12 (iv) the Chief of the Forest Service or
13 an individual designated by the Chief;

14 (v) the Chief of the Natural Resources
15 Conservation Service or an individual des-
16 ignated by the Chief;

17 (vi) the Administrator of the Farm
18 Service Agency or an individual designated
19 by the Administrator; and

20 (vii) the Director of the Bureau of In-
21 dian Affairs or an individual designated by
22 the Director.

23 (B) DISCRETIONARY MEMBERS.—The Sec-
24 retary shall appoint 1 discretionary member
25 from each of the following:

1 (i) A State land management agency.

2 (ii) A private forest landowner with
3 total land holdings of greater than
4 1,000,000 acres.

5 (iii) A private forest landowner with
6 total land holdings of less than 1,000,000
7 acres.

8 (iv) A sawmill, pulp, or paper manu-
9 facturer which relies on the sale of federal
10 timber for at least 25 percent of their fiber
11 supply.

12 (v) An energy company, cooperative,
13 or utility which provides customers with
14 energy at least partially derived from the
15 combustion of wood biomass.

16 (vi) A land conservation nonprofit
17 with previous experience in collaborative
18 forestland restoration projects greater than
19 100,000 acres.

20 (vii) A Tribal resource management
21 organization with previous experience man-
22 aging Tribal timberland.

23 (viii) A wildlife conservation nonprofit
24 with previous experience in collaborative

1 forestland restoration projects greater than
2 100,000 acres.

3 (ix) An urban resource conservation
4 organization, with previous experience in
5 urban and community reforestation
6 projects.

7 (2) DISCRETIONARY MEMBER TERMS.—Each
8 discretionary member appointed to the task force
9 under paragraph (1)(B) may be appointed and re-
10 moved at the discretion of the Secretary.

11 (3) PRESERVATION OF PUBLIC ADVISORY STA-
12 TUS.—No individual may be appointed to the task
13 force as a discretionary member under paragraph
14 (1)(B) while serving as an officer or employee of the
15 Federal Government.

16 (4) PAY AND EXPENSES.—

17 (A) COMPENSATION.—Members of the task
18 force shall serve without pay.

19 (B) REIMBURSEMENT.—A member of the
20 task force may be reimbursed for travel and
21 lodging incurred while attending a meeting of
22 the task force or any other meeting of members
23 approved for reimbursement by the task force
24 in the same amounts and under the same condi-

1 tions as Federal employees under section 5703
2 of title 5, United States Code.

3 (C) EXPENSES.—The expenses of the Task
4 Force that the Secretary determines to be rea-
5 sonable and appropriate shall be paid by the
6 Secretary.

7 (5) ADMINISTRATIVE SUPPORT, TECHNICAL
8 SERVICES, AND STAFF SUPPORT.—The Secretary
9 shall make personnel of the Department of Agri-
10 culture available to the task force for administrative
11 support, technical services, and staff support the
12 Secretary determines necessary to carry out this sec-
13 tion.

14 (6) FEDERAL ADVISORY COMMITTEE ACT.—The
15 Federal Advisory Committee Act (5 U.S.C. App.)
16 shall not apply to the task force.

17 **SEC. 103. TIMBER SURVEY UPDATE.**

18 (a) RENEWABLE RESOURCE ASSESSMENT.—Section
19 3 of the Forest and Rangeland Renewable Resources Plan-
20 ning Act of 1974 (16 U.S.C. 1601) is amended—

21 (1) in subsection (a)—

22 (A) in paragraph (5), by striking “and” at
23 the end;

24 (B) by striking paragraph (6) and insert-
25 ing the following:

1 “(6) an analysis of the total carbon storage ca-
2 capacity of the National Forest System based upon the
3 lifecycle analysis established under section 103(b) of
4 the Trillion Trees Act; and”;

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

6 “(7) an analysis of the forestry opportunities to
7 sequester atmospheric carbon.”; and

8 (2) in subsection (c)—

9 (A) in paragraph (2) by striking “and” at
10 the end;

11 (B) in paragraph (3) by striking the period
12 at the end and inserting “; and”;

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

14 “(4) the potential for increased atmospheric
15 carbon storage through the utilization of forest and
16 wood products and biproducts, including rec-
17 ommendations to Congress for actions which would
18 lead to increased utilization of these materials in se-
19 questering more atmospheric carbon.”.

20 (b) LIFECYCLE ANALYSIS.—

21 (1) LIFECYCLE STORAGE MODEL.—As a part of
22 the assessment established under section 3 of the
23 Forest and Rangeland Renewable Planning Act of
24 1974 (16 U.S.C. 1601) the Secretary shall develop
25 computational models to evaluate the lifecycle forest

1 carbon sequestration potential associated with active
2 management of the National Forest System.

3 (2) CONSIDERATIONS.—In developing the model
4 under paragraph (1), the Secretary shall consider—

5 (A) the amount of carbon stored in wood;

6 (B) the rate of carbon storage in new wood
7 growth;

8 (C) the rate of carbon storage in old wood
9 growth;

10 (D) the amount of carbon released through
11 tree mortality;

12 (E) the amount of carbon released through
13 catastrophic wildfire;

14 (F) the amount of carbon stored through
15 the manufacture of sustainable wood products;

16 (G) the net carbon stored through a sus-
17 tainable cycle of harvest and regeneration;

18 (H) the net carbon stored through active
19 forest management; and

20 (I) other factors as determined by the Sec-
21 retary.

22 (3) VALIDATION PROGRAM.—

23 (A) IN GENERAL.—The Secretary shall
24 carry out a program for validation and inde-

1 pendent testing of the lifecycle models devel-
2 oped under paragraph (1).

3 (B) REQUIREMENTS.—In carrying out the
4 validation program under subparagraph (A),
5 the Secretary shall—

6 (i) perform retrospective assessments
7 comparing model predictions to field data
8 on the carbon stored on the National For-
9 est System; and

10 (ii) require independent evaluation
11 and comparison of lifecycle models devel-
12 oped under paragraph (1) against existing
13 models, and enable empirical testing of
14 hypotheses regarding the net effects on
15 land and atmospheric carbon stocks and
16 other greenhouse gas impacts.

17 (4) REPORT.—Not later than 1 year after the
18 date of enactment of this Act, the Secretary shall
19 submit to the Committee on Agriculture of the
20 House of Representatives and the Committee on Ag-
21 riculture, Nutrition, and Forestry of the Senate a
22 report on the findings of the analysis conducted
23 using the model developed under paragraph (1).

24 **SEC. 104. REFORESTATION PROGRAMS.**

25 (a) NATIONAL FOREST COVER POLICY.—

1 (1) IN GENERAL.—Section 3 of the Forest and
2 Rangeland Renewable Resources Planning Act of
3 1974 (16 U.S.C. 1601), as amended by section 103,
4 is further amended—

5 (A) by redesignating subsection (e) as sub-
6 section (f);

7 (B) by redesignating the second subsection
8 (d) (relating to the policy of Congress regarding
9 forested land in the National Forest System) as
10 subsection (e); and

11 (C) in subsection (e), as so redesignated—

12 (i) in paragraph (2)—

13 (I) in the first sentence—

14 (aa) by striking “eight years
15 following the enactment of this
16 subsection” and inserting “10
17 years following the date of enact-
18 ment of the ‘Trillion Trees Act’”;
19 and

20 (bb) by striking “eight-year
21 period” and inserting “10-year
22 period”;

23 (II) in the second sentence, by
24 striking “such eight-year period” and
25 inserting “the 10-year period”; and

1 (III) in the third sentence, by
2 striking “1978” and inserting
3 “2021”;

4 (ii) by redesignating paragraph (3) as
5 paragraph (4);

6 (iii) in the first sentence of paragraph
7 (4), as so redesignated, by striking “sub-
8 section (d)” and inserting “subsection”;
9 and

10 (iv) by inserting after paragraph (2)
11 the following:

12 “(3) REFORESTATION PRIORITIZATION.—

13 “(A) REFORESTATION PRIORITY.—

14 “(i) IN GENERAL.—In carrying out
15 this subsection, the Secretary shall give
16 priority to projects on the priority list de-
17 scribed in clause (ii)(I).

18 “(ii) PRIORITY LIST.—

19 “(I) IN GENERAL.—The Chief of
20 the Forest Service shall, based on rec-
21 ommendations from regional foresters,
22 create a priority list of projects that—

23 “(aa) primarily take place
24 on priority land; and

1 “(bb) promote reforestation
2 following unplanned adverse
3 events on priority land.

4 “(II) RANKING.—The Chief of
5 the Forest Service shall rank projects
6 on the priority list under subclause (I)
7 based on—

8 “(aa) the ability to measure
9 the progress and success of the
10 project; and

11 “(bb) the ability of a project
12 to provide benefits relating to
13 forest function and health, soil
14 health and productivity, wildlife
15 habitat, improved air and water
16 quality, carbon sequestration po-
17 tential, job creation, enhanced
18 recreation, and forest wood prod-
19 ucts.

20 “(B) DEFINITIONS.—In this paragraph:

21 “(i) PRIORITY LAND.—The term ‘pri-
22 ority land’ means National Forest System
23 land that, due to an unplanned natural or
24 anthropogenic adverse event (including a
25 wildfire, ice, blowdown, insect infestation,

1 disease, volcanic activity, or seismic event)

2 is—

3 “(I) understocked; or

4 “(II) significantly impacted by
5 insect infestation or disease.

6 “(ii) UNDERSTOCKED.—The term
7 ‘understocked’ means, with respect to for-
8 est land that has a forest canopy cover
9 gap—

10 “(I) of not less than 50 acres; or

11 “(II) that is ecologically detri-
12 mental to the forest, as determined by
13 the Regional Forester, taking into ac-
14 count factors such as the need to pro-
15 tect critical water supplies from ero-
16 sion, specific wildlife habitat restora-
17 tion, and a history of natural or an-
18 thropogenic events.”.

19 (2) CONFORMING AMENDMENTS.—

20 (A) COOPERATIVE FORESTRY ASSISTANCE
21 ACT OF 1978.—Section 9 of the Cooperative
22 Forestry Assistance Act of 1978 (16 U.S.C.
23 2105) is amended in the matter following para-
24 graph (5) of subsection (g)—

1 (i) by striking “section 3(d)” and in-
2 serting “subsection (e) of section 3”; and

3 (ii) by striking “1601(d)” and insert-
4 ing “1601”.

5 (B) REFORESTATION TRUST FUND.—Sec-
6 tion 303 of the Act of October 14, 1980 (Public
7 Law 96–451; 16 U.S.C. 1606a) is amended—

8 (i) in subsection (b)(2), by striking
9 “\$30,000,000” and inserting
10 “\$60,000,000”; and

11 (ii) in subsection (d)(1)—

12 (I) by striking “section 3(d)” and
13 inserting “subsection (e) of section
14 3”; and

15 (II) by striking “1601(d)” and
16 inserting “1601”.

17 (C) STEWARDSHIP END RESULT CON-
18 TRACTING PROJECTS.—Section 604(c) of the
19 Healthy Forests Restoration Act of 2003 (16
20 U.S.C. 6591c(e)) is amended by adding at the
21 end the following:

22 “(8) With respect to projects under subsection
23 (b) entered into only by the Chief, reforestation in
24 accordance with the priorities specified in subsection
25 (e)(3)(A)(ii) of section 3 of the Forest and Range-

1 land Renewable Resources Planning Act of 1974 (16
2 U.S.C. 1601).”.

3 (3) GOOD NEIGHBOR AUTHORITY.—Section
4 8206 of the Agricultural Act of 2014 (16 U.S.C.
5 2113a) is amended—

6 (A) in subsection (a)(4)(A)—

7 (i) in clause (ii), by striking “and” at
8 the end;

9 (ii) by redesignating clause (iii) as
10 clause (iv); and

11 (iii) by inserting after clause (ii) the
12 following:

13 “(iii) with respect to National Forest
14 System land, reforestation activities; and”;
15 and

16 (B) in subsection (b)—

17 (i) in paragraph (1), by adding at the
18 end the following:

19 “(C) REFORESTATION PRIORITY.—With
20 respect to forest, rangeland, and watershed res-
21 toration services described in subsection
22 (a)(4)(A)(iii), the Secretary may enter into
23 good neighbor agreements under this section in
24 accordance with the priorities specified in sub-
25 section (e)(3)(A)(ii) of section 3 of the Forest

1 and Rangeland Renewable Resources Planning
2 Act of 1974 (16 U.S.C.1601).”; and

3 (ii) in paragraph (2)(C)(i), in the
4 matter preceding subclause (I), by striking
5 “of a State”.

6 (b) TARGET YEAR FOR NATIONAL FOREST SYS-
7 TEM.—Section 9 of the Forest and Rangeland Renewable
8 Resources Planning Act of 1974 (16 U.S.C. 1607) is
9 amended by striking “2000” and inserting “2029”.

10 **SEC. 105. CARBON SEQUESTRATION THROUGH THE**
11 **HEALTHY FOREST RESERVE PROGRAM.**

12 (a) ESTABLISHMENT.—Section 501(a) of the Healthy
13 Forests Restoration Act of 2003 (16 U.S.C. 6571(a)) is
14 amended—

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

17 (2) in paragraph (4), by striking the period at
18 the end and inserting “; and”; and

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

20 “(5) to promote planting, management, and re-
21 generation of new trees in pursuit of the targets for
22 increased total domestic wood growth established
23 under section 101 of the Trillion Trees Act.”.

1 (b) ENROLLMENT PRIORITY.—Section 502(f)(1) of
2 the Healthy Forests Restoration Act of 2003 (16 U.S.C.
3 6572) is amended to read as follows:

4 “(1) IN GENERAL.—The Secretary of Agri-
5 culture shall give priority to the enrollment of land
6 that—

7 “(A) provides the greatest conservation
8 benefit to—

9 “(i) primarily, species listed as endan-
10 gered or threatened under section 4 of the
11 Endangered Species Act of 1973 (16
12 U.S.C. 1533); and

13 “(ii) secondarily, species that—

14 “(I) are not listed as endangered
15 or threatened under section 4 of the
16 Endangered Species Act of 1973 (16
17 U.S.C. 1533); but

18 “(II)(aa) are candidates for such
19 listing, State-listed species, or special
20 concern species; or

21 “(bb) are deemed a species of
22 greatest conservation need under a
23 State wildlife action plan; or

1 “(B) promotes the restoration of marginal
2 farmland or degraded forestland into healthy
3 forest ecosystems.”.

4 (c) RESTORATION PLANS.—Paragraph (4) of section
5 503(b) of the Healthy Forests Restoration Act of 2003
6 (16 U.S.C. 6573(b)) is amended to read as follows:

7 “(4) Practices to increase carbon sequestration,
8 including reforestation of degraded forestland and
9 afforestation of marginal farmland.”.

10 (d) COST SHARING.—Section 504 of the Healthy
11 Forests Restoration Act of 2003 (16 U.S.C. 6574) is
12 amended by adding at the end the following:

13 “(e) COST-SHARE PERMITTED.—In the case of land
14 enrolled in the healthy forest reserve program for the pur-
15 pose of promoting the restoration of marginal farmland
16 or degraded forestland into healthy forest ecosystems, the
17 Secretary of Agriculture may pay up to 75 percent for the
18 cost of practices determined necessary for restoration or
19 afforestation of such land.”.

20 **SEC. 106. NATIONAL FOREST FOUNDATION ACTIVITIES.**

21 (a) ADDING CARBON STORAGE TO THE NATIONAL
22 FOREST FOUNDATION.—The National Forest Foundation
23 Act (16 U.S.C. 583j et seq.) is amended—

24 (1) in section 402(b)—

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

3 (B) in paragraph (3), by striking the pe-
4 riod at the end and inserting a semicolon; and

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

6 “(4) encourage, accept, and administer private
7 gifts of money, and of real and personal property for
8 the benefit of, or in connection with, the of the tar-
9 gets for increased total domestic wood growth estab-
10 lished under section 101 of the ‘Trillion Trees Act’;
11 and

12 “(5) carry out the Pinchot Medal for forest res-
13 toration under section 410.”;

14 (2) in section 405, by striking “410” both
15 places it appears and inserting “411”;

16 (3) by redesignating section 410 as section 411;
17 and

18 (4) by inserting after section 409 the following:

19 **“SEC. 410. PINCHOT MEDAL FOR FOREST RESTORATION.**

20 “(a) ESTABLISHMENT.—The Foundation shall, in
21 consultation with the Secretary of Agriculture, establish
22 an award to be known as the ‘Pinchot Medal for Forest
23 Restoration’ to recognize outstanding contributions in do-
24 mestic reforestation activities carried out by individuals,
25 communities, nonprofit organizations, and corporations.

1 “(b) NUMBER OF AWARDS.—The Foundation shall
2 award the Pinchot Medal for Forest Restoration at least
3 once a year.

4 “(c) LEVELS OF AWARDS.—The Foundation shall, in
5 consultation with Secretary of Agriculture, establish mul-
6 tiple levels of awards reflecting various levels of contribu-
7 tions outlined in subsection (e).

8 “(d) ADMINISTRATION OF AWARD.—The Foundation
9 shall administer the award, including developing a website
10 and media presence to highlight recipients and to track
11 their contribution towards the targets for increased total
12 domestic wood growth established under section 101 of the
13 Trillion Trees Act.

14 “(e) CONSIDERATIONS.—In awarding the Pinchot
15 Medal for Forest Restoration to an entity under this sec-
16 tion, the Foundation shall consider—

17 “(1) the number of acres planted or restored by
18 such entity;

19 “(2) the amount of carbon stored by reforest-
20 ation activities of such entity;

21 “(3) the educational impact of the reforestation
22 activities of such entity; and

23 “(4) the total value of any donations by such
24 entity to the Foundation.”.

25 (b) FIFTH GRADE FORESTRY CHALLENGE.—

1 (1) ESTABLISHMENT.—The National Forest
2 Foundation (in this subsection referred to as “the
3 Foundation”) shall establish an educational grant
4 program, in consultation with the Secretary, to be
5 known as the “5th Grade Forestry Challenge” to
6 make grants to eligible recipients to—

7 (A) provide 5th grade students with a
8 seedling to plant on Federal, State, or Local
9 lands;

10 (B) educate students about forestry, forest
11 management, active stewardship, and carbon
12 storage; and

13 (C) encourage, accept, and administer pri-
14 vate gifts of money, technical expertise, and of
15 real and personal property for the benefit of
16 this program.

17 (2) ELIGIBLE RECIPIENTS.—The following enti-
18 ties are eligible to receive a grant under this sub-
19 section:

20 (A) A local educational agency.

21 (B) A nonprofit entity that the Secretary
22 determines has a demonstrated history of com-
23 munity engagement and education on natural
24 resource issues.

1 (C) Other recipients as the Secretary de-
2 termines to be appropriate.

3 (3) COORDINATION.—In carrying out the pro-
4 gram required by this subsection, the Foundation
5 may coordinate on an ongoing basis with appropriate
6 Federal, State, Tribal, and local resource manage-
7 ment departments, local education agencies, private
8 citizens, and corporations to—

9 (A) identify lands suitable for reforest-
10 ation;

11 (B) encourage, accept, and administer pri-
12 vate gifts of money, technical expertise, and of
13 real and personal property for the benefit of
14 this program;

15 (C) manage and maintain reforested lands;
16 and

17 (D) further educate students and the pub-
18 lic about forestry and forest carbon storage.

19 (4) REPORT REQUIRED.—Not later than 2
20 years after the date on which the Foundation estab-
21 lishes the grant program under this subsection, the
22 Secretary shall submit to the Committee on Natural
23 Resources of the House of Representatives and the
24 Committee on Energy and Natural Resources of the
25 Senate a report on the determination of the Sec-

1 retary as to whether the grant program is a finan-
2 cially effective means to educate students in the
3 fields described in subparagraph (1)(B).

4 (5) DEFINITION OF LOCAL EDUCATIONAL
5 AGENCY.—In this subsection, the term “local edu-
6 cational agency” has the meaning given that term in
7 section 8101 of the Elementary and Secondary Edu-
8 cation Act of 1965 (20 U.S.C. 7801).

9 **SEC. 107. GLOBAL CLIMATE CHANGE PROGRAM.**

10 (a) FORESTRY INCLUDED.—Section 2402(c)(2) of
11 the Global Climate Change Prevention Act of 1990 (7
12 U.S.C. 6701(c)(2)) is amended by inserting “and for-
13 estry” after “agriculture”.

14 (b) STUDY OF GLOBAL CLIMATE CHANGE, AGRI-
15 CULTURE, AND FORESTRY.—Section 2403(b) of the Glob-
16 al Climate Change Prevention Act of 1990 (7 U.S.C.
17 6702(b)) is amended—

18 (1) in paragraph (2), by striking “and” at the
19 end;

20 (2) in paragraph (3), by striking the period at
21 the end and inserting “; and”; and

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

23 “(4) identify and address programs which could
24 lead to increased carbon storage through sustainable
25 forest products.”.

1 (c) OFFICE OF INTERNATIONAL FORESTRY.—Section
2 2405 of the Global Climate Change Prevention Act of
3 1990 (7 U.S.C. 6704) is amended—

4 (1) in subsection (c)—

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

7 (B) in paragraph (3), by striking the pe-
8 riod at the end and inserting “; and”; and

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

10 “(4) identify and implement programs which
11 lead to increased carbon storage globally, a healthy
12 international forest ecology, and a globally sustain-
13 able wood products market.”.

14 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
15 2412 of the Global Climate Change Prevention Act of
16 1990 (7 U.S.C. 6710) is amended by striking “1991
17 through 1997” and inserting “2020 through 2025”.

18 **SEC. 108. INTERNATIONAL FORESTRY COOPERATION.**

19 Section 602(b)(1) of the International Forestry Co-
20 operation Act of 1990 (16 U.S.C. 4501(b)(1)) is amend-
21 ed—

22 (1) in subparagraph (G), by striking “and” at
23 the end;

24 (2) in subparagraph (H), by inserting “and” at
25 the end; and

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

2 “(I) carbon storage activities, including re-
3 forestation and afforestation programs;”.

4 **SEC. 109. INTERNATIONAL ENGAGEMENT.**

5 (a) IN GENERAL.—To the maximum extent prac-
6 ticable, the Administrator of the United States Agency for
7 International Development shall prioritize programs to
8 support forestation and reforestation, and to prevent de-
9 forestation, in developing countries and in regions that
10 have experienced significant levels of deforestation or
11 whose biodiversity, local economy, and stability would be
12 significantly impacted by deforestation or loss of forest
13 canopy cover around the world.

14 (b) COORDINATION.—In carrying out the programs
15 authorized by this subsection, the Administrator shall, to
16 the maximum extent practicable, make use of public-pri-
17 vate partnerships to facilitate engagement by nonprofit or-
18 ganizations and industry partners.

19 (c) ESTABLISHMENT.—The Administrator may enter
20 into an agreement with a non-profit organization to estab-
21 lish an “International Forest Foundation”, which shall
22 not be an agency or instrumentality of the United States
23 Government.

24 (d) PURPOSES.—The purposes of the Foundation
25 shall be—

1 (1) to encourage, accept, and administer private
2 gifts of money and of real and personal property for
3 the benefit of, or in connection with, the activities
4 and services carried out by the United States Agen-
5 cy for International Development to promote foresta-
6 tion, reforestation, and the prevention of deforest-
7 ation around the world;

8 (2) use private funds to support, undertake,
9 and conduct activities that further the goals estab-
10 lished in section 101 of this Act; and

11 (3) undertake, conduct, and encourage edu-
12 cational, technical, and other assistance, and other
13 activities, that support international goals to in-
14 crease global carbon sequestration through the pro-
15 motion of healthy forests and responsible forest
16 management.

17 (e) TRANSFER OF FUNDS; LIABILITY.—

18 (1) TRANSFER OF FUNDS.—The Administrator
19 may authorize, pursuant to an agreement entered
20 into in accordance with paragraph (3), the transfer
21 of funds of the United States Agency for Inter-
22 national Development to a nonprofit organization for
23 the purpose of offsetting any administrative costs of
24 the Foundation.

1 (2) LIABILITY.—The United States shall not be
2 liable for any debts, defaults, acts, or omissions of
3 the Foundation. The full faith and credit of the
4 United States shall not extend to any obligations of
5 the Foundation.

6 **SEC. 110. MODIFICATIONS TO AUTHORITIES RELATING TO**
7 **TROPICAL FORESTS.**

8 Section 118 of the Foreign Assistance Act of 1961
9 (22 U.S.C. 2151p–1) is amended as follows:

10 (1) In subsection (a)(2), by inserting “, includ-
11 ing by reducing global carbon sequestration” before
12 the period at the end.

13 (2) In subsection (c)(1), by inserting “, refor-
14 estation,” after “conservation”.

15 (3) In subsection (c)(2)(A), by inserting “and
16 impact on global carbon emissions” after “irrevers-
17 ible losses”.

18 (4) In subsection (c)(6), by inserting “(includ-
19 ing projects to increase carbon sequestration)” after
20 “sustainable forestry projects and practices”.

21 (5) In subsection (c)(8), by inserting “carbon
22 sequestration,” after “soil conservation,”.

23 (6) In subsection (f), by inserting “and a study
24 on the total carbon sequestered through increases in
25 tropical forest stocks globally as a result of pro-

1 grams, projects and activities carried out under this
2 section” before the period at the end.

3 **TITLE II—CARBON SEQUESTRA-**
4 **TION THROUGH IMPROVED**
5 **FOREST MANAGEMENT AC-**
6 **TIVITIES**

7 **SEC. 201. CARBON SEQUESTRATION THROUGH LAND USE**
8 **PLANNING; SUPPLEMENTS TO PROGRAMMAT-**
9 **IC ENVIRONMENTAL IMPACT STATEMENTS.**

10 (a) DEFINITIONS.—

11 (1) COVERED LAND.—The term “covered land”
12 means public lands that are not excluded from forest
13 management practices as a result of——

14 (A) public lands administered by the Sec-
15 retary concerned;

16 (B) a land use plan established under the
17 Federal Land Policy and Management Act of
18 1976 (43 U.S.C. 1701 et seq.);

19 (C) inclusion in the National Wilderness
20 Preservation System;

21 (D) inclusion within a National or State-
22 specific inventoried roadless area established by
23 the Secretary concerned, unless—

1 (i) the forestry management activity
2 to be carried out is consistent with the for-
3 est plan applicable to the area; or

4 (ii) the Secretary concerned deter-
5 mines the forest management activity is al-
6 lowed under the roadless rule governing
7 such lands; or

8 (E) on which timber harvesting for any
9 purposing is prohibited by Federal statute.

10 (2) WILDLAND-URBAN INTERFACE PROTECTION
11 PROJECTS.—The term “Wildland-Urban Interface
12 Protection Projects” means any forest or rangeland
13 management project which takes place within the
14 boundaries, or adjacent to, an at-risk community (as
15 defined in section 101 of the Healthy Forest Res-
16 toration Act (16 U.S.C. 6511)).

17 (3) WATERSHED PROTECTION PROJECTS.—The
18 term “watershed protection project” means any for-
19 est or rangeland management project with the pri-
20 mary objective of—

21 (A) protecting a municipal water source;

22 (B) increasing water quality;

23 (C) increasing water yield; or

24 (D) any combination of the purposes speci-
25 fied in subparagraphs (A) through (C).

1 (4) CRITICAL INFRASTRUCTURE PROJECTS.—

2 The term “critical infrastructure projects” means
3 any forest or rangeland management project with
4 the primary objective of—

5 (A) reducing wildfire ignition along trans-
6 portation and transmission corridors;

7 (B) protecting public infrastructure from
8 wildfire;

9 (C) removing hazard trees and other haz-
10 ardous fuel from transmission corridors; or

11 (D) any combination of the purposes speci-
12 fied in subparagraphs (A) through (C).

13 (5) WILDLIFE HABITAT RESTORATION

14 PROJECTS.—The term “wildlife habitat restoration
15 project” means any forest or rangeland management
16 project with the primary objective of—

17 (A) wildlife habitat improvement;

18 (B) protecting, improving, and enhancing
19 management with respect to critical habitat as
20 defined under section 4 of the Endangered Spe-
21 cies Act of 1973 (16 U.S.C. 1533); or

22 (C) any combination of the purposes speci-
23 fied in subparagraphs (A) and (B).

24 (b) PRIORITY AREAS.—

1 (1) IN GENERAL.—The Secretaries shall estab-
2 lish priority areas on covered lands for wildland-
3 urban interface protection, watershed protection,
4 critical infrastructure, and wildlife habitat restora-
5 tion projects.

6 (2) DEADLINE.—

7 (A) WILDLAND-URBAN INTERFACE PRO-
8 TECTION PROJECTS.—For wildland-urban inter-
9 face protection projects, the Secretaries shall
10 establish priority areas as soon as practical, but
11 not later than 36 months after the date of the
12 enactment of this section.

13 (B) WATERSHED PROTECTION
14 PROJECTS.—For watershed protection projects,
15 the Secretaries shall establish priority areas as
16 soon as practical, but not later than 60 months
17 after the date of the enactment of this section.

18 (C) CRITICAL INFRASTRUCTURE
19 PROJECTS.—For critical infrastructure projects,
20 including transportation and transmission cor-
21 ridors, the Secretaries shall establish priority
22 areas as soon as practical, but not later than 60
23 months after the date of the enactment of this
24 section.

1 (D) WILDLIFE HABITAT RESTORATION
2 PROJECTS.—For Wildlife Habitat Restoration
3 Projects, the Secretaries shall establish priority
4 areas as soon as practical, but not later than 60
5 months after the date of the enactment of this
6 section.

7 (3) PRIORITIZATION.—For all projects listed
8 under paragraph (2), the Secretaries shall prioritize
9 projects which—

10 (A) apply to land classified as high or ex-
11 treme risk of wildfire;

12 (B) are in close proximity to critical infra-
13 structure, watersheds, reservoirs, and aquifers;
14 and

15 (C) will—

16 (i) increase storage capacity of carbon
17 through new wood growth; or

18 (ii) reduce carbon emissions that re-
19 sult from tree mortality or wildfires.

20 (4) REVIEW AND MODIFICATION.—Not less fre-
21 quently than once every 5 years, the Secretary con-
22 cerned shall—

23 (A) review the current priority areas and
24 reassess priorities based on shifting fire risk,

1 increased development in the Wildland-Urban
2 Interface, and project success; and

3 (B) based on such review, add, modify, or
4 eliminate priority areas.

5 (5) COMPLIANCE WITH THE NATIONAL ENVI-
6 RONMENTAL POLICY ACT.—For purposes of the Na-
7 tional Environmental Policy Act of 1969 (42 U.S.C.
8 4321 et seq.), the designation of each priority area
9 described in paragraph (2) shall not be considered a
10 separate major Federal action.

11 (6) COORDINATION AND CONSULTATION.—The
12 Secretary concerned shall coordinate and consult
13 with appropriate State, Tribal, and local govern-
14 ments, electrical transmission infrastructure owners
15 and operators, developers, and other appropriate en-
16 tities to ensure that priority areas identified by the
17 Secretary are—

18 (A) economically viable;

19 (B) likely to avoid or minimize conflict
20 with habitat for animals and plants, rec-
21 reational users, cultural resources, and other
22 uses of covered land; and

23 (C) consistent with section 202 of the Fed-
24 eral Land Policy and Management Act of 1976
25 (43 U.S.C. 1712).

1 (7) ENVIRONMENTAL REVIEW ON COVERED
2 LAND.—

3 (A) IN GENERAL.—If the Secretary deter-
4 mines that a proposed forest or rangeland man-
5 agement project has been sufficiently analyzed
6 by a previously completed environmental impact
7 statement, the Secretary shall not require any
8 additional review under the National Environ-
9 mental Policy Act of 1969 (42 U.S.C. 4321 et
10 seq.).

11 (B) ADDITIONAL ENVIRONMENTAL RE-
12 VIEW.—If the Secretary determines that addi-
13 tional environmental review under the National
14 Environmental Policy Act of 1969 (42 U.S.C.
15 4321 et seq.) is necessary for a forest or range-
16 land management project, the Secretary con-
17 cerned shall rely on the analysis in any relevant
18 environmental impact statement conducted
19 when analyzing the potential impacts of the
20 project.

21 (8) REPORT TO CONGRESS.—

22 (A) IN GENERAL.—Not later than Feb-
23 ruary 1 of the first fiscal year beginning after
24 the date of the enactment of this section, and
25 each February 1 thereafter, the Secretary shall

1 submit to the Committee on Energy and Nat-
2 ural Resources of the Senate and the Com-
3 mittee on Natural Resources of the House of
4 Representatives a report describing the progress
5 made under the programs established under
6 this section during the preceding year.

7 (B) INCLUSIONS.—Each report under this
8 section shall include—

9 (i) stored carbon projections for forest
10 or rangeland management projects; and

11 (ii) a description of any problems re-
12 lating to leasing, permitting, siting, or pro-
13 duction with respect to carrying out this
14 section.

15 **SEC. 202. EMISSIONS CONSIDERATION OF MANAGEMENT**
16 **INJUNCTIONS.**

17 (a) BALANCING SHORT- AND LONG-TERM EFFECTS
18 OF FOREST MANAGEMENT ACTIVITIES IN CONSIDERING
19 INJUNCTIVE RELIEF.—In considering any motion for eq-
20 uitable relief (including injunctive relief) applicable to a
21 Federal agency action taken as part of a forest manage-
22 ment activity, a court shall consider the effect on the eco-
23 system affected by the forest management activity of—

24 (1) the short-term and long-term effects if the
25 agency action is carried out, including the potential

1 decreased carbon storage through stand stagnation;
2 and

3 (2) the short-term and long-term effects of not
4 carrying out the action, including the potential for
5 increased carbon emission due to wildfire.

6 (b) LIFECYCLE ANALYSIS.—The court reviewing the
7 agency action shall consider the lifecycle analysis of carbon
8 storage developed by the Secretary under section 103(b).

9 (c) TIME LIMITATIONS FOR INJUNCTIVE RELIEF.—

10 (1) IN GENERAL.—Subject to paragraph (2),
11 the length of any preliminary injunctive relief or
12 stay pending appeal applicable to any Federal agen-
13 cy action as part of a forest management activity,
14 may not exceed 60 days.

15 (2) RENEWAL.—

16 (A) IN GENERAL.—A court may issue one
17 or more renewals of any preliminary injunction
18 or stay pending appeal granted under sub-
19 section (a).

20 (B) UPDATES.—In each motion for re-
21 newal of an injunction in an action, the parties
22 to the action shall present the court with up-
23 dated information on the status of the author-
24 ized forest management activity.

1 **SEC. 203. STORING CARBON ON STATE AND PRIVATE FOR-**
 2 **ESTS.**

3 (a) **ADDING SEQUESTRATION AS A PRIORITY.**—Sec-
 4 tion 2(b) of the Cooperative Forestry Assistance Act of
 5 1978 (16 U.S.C. 2101) is amended—

6 (1) by redesignating subparagraphs (6) through
 7 (10) as subparagraphs (7) through (11), respec-
 8 tively; and

9 (2) by inserting after paragraph (5) the fol-
 10 lowing:

11 “(6) the encouragement of reforestation and re-
 12 lated carbon sequestration;”.

13 (b) **SUPPORT FOR STATE ASSESSMENTS AND STRAT-**
 14 **EGIES FOR FOREST RESOURCES WHEN CONSIDERING**
 15 **CARBON EMISSIONS.**—Section 2A(a)(1) of the Coopera-
 16 tive Forestry Assistance Act of 1978 (16 U.S.C.
 17 2101a(a)(1)) is amended—

18 (1) by redesignating subparagraph (C) and (D)
 19 as subparagraphs (D) and (E), respectively; and

20 (2) by inserting after subparagraph (B) the fol-
 21 lowing:

22 “(C) the current amount of carbon stored
 23 on State lands and opportunities for increased
 24 storage;”.

25 (c) **CARBON STORAGE THROUGH THE FOREST STEW-**
 26 **ARDSHIP PROGRAM.**—Section 5(d)(1) of the Cooperative

1 Forestry Assistance Act of 1978 (16 U.S.C. 2103a(d)) is
2 amended by inserting “carbon sequestration and storage”
3 before “and the aesthetic”.

4 (d) CARBON STORAGE THROUGH THE FOREST LEG-
5 ACY PROGRAM.—Section 7 of the Cooperative Forestry
6 Assistance Act of 1978 (16 U.S.C. 2103e) is amended by
7 striking subsection (e) and inserting the following:

8 “(e) ELIGIBILITY.—Not later than November 28,
9 1991, and in consultation with State Forest Stewardship
10 Coordinating Committees established under section 19(b)
11 and similar regional organizations, the Secretary shall es-
12 tablish eligibility criteria for the designation of forest
13 areas from which lands may be entered into the Forest
14 Legacy Program and subsequently select such appropriate
15 areas. To be eligible, such areas shall have significant en-
16 vironmental values or amount of carbon stored or shall
17 be threatened by present or future conversion to nonforest
18 uses. Of land proposed to be included in the Forest Legacy
19 Program, the Secretary shall give priority to lands which
20 can be effectively protected and managed; areas which can
21 be managed as a working landscape benefitting the local
22 economy; or areas which have important scenic or rec-
23 reational values; riparian areas; fish and wildlife values,
24 including threatened and endangered species; or other eco-
25 logical values.”.

1 (e) CARBON STORAGE THROUGH THE COMMUNITY
2 FOREST AND OPEN SPACE CONSERVATION PROGRAM.—
3 Section 7A(c)(1)(B)(ii) of the Cooperative Forestry As-
4 sistance Act of 1978 (16 U.S.C. 2103d(c)(1)(B)(ii)) is
5 amended by inserting “, carbon sequestration,” before
6 “and wildlife”.

7 (f) CARBON STORAGE THROUGH THE PROMOTION OF
8 FOREST HEALTH.—Section 8(a) of the Cooperative For-
9 estry Assistance Act of 1978 (16 U.S.C. 2104(a)) is
10 amended—

11 (1) by redesignating paragraphs (4) through
12 (6) as paragraphs (5) through (7); and

13 (2) by inserting after paragraph (3) the fol-
14 lowing:

15 “(4) protect or enhance carbon stored on
16 healthy forestland;”.

17 (g) CARBON STORAGE THROUGH URBAN AND COM-
18 MUNITY FORESTRY.—Section 9(d)(3) of the Cooperative
19 Forestry Assistance Act of 1978 (16 U.S.C. 2105(d)(3))
20 is amended—

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

23 (2) in subparagraph (D), by inserting “and” at
24 the end; and

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

1 “(E) identifying opportunities to increase
2 carbon stored through afforestation and sci-
3 entific urban forestry management;”.

4 (h) CARBON STORAGE THROUGH THE REDUCTION
5 OF CATASTROPHIC WILDFIRE.—Section 10A(b)(1) of the
6 Cooperative Forestry Assistance Act of 1978 (16 U.S.C.
7 2106c(b)(1)) is amended—

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

10 (2) in subparagraph (D), by striking the period
11 and inserting “and” at the end; and

12 (3) by inserting at the end the following:

13 “(E) to educate the public about the car-
14 bon stored in healthy forests and carbon emit-
15 ted through wildfire and forest decline.”.

16 (i) CARBON STORAGE THROUGH THE STATE AND
17 PRIVATE FOREST LANDSCAPE-SCALE RESTORATION.—
18 Section 13A of the Cooperative Forestry Assistance Act
19 of 1978 (16 U.S.C. 2109a) is amended—

20 (1) in subsection (e)—

21 (A) in paragraph (6), by striking “and” at
22 the end;

23 (B) by redesignating paragraph (7) as
24 paragraph (8); and

1 (C) by inserting after paragraph (6) the
2 following:

3 “(7) to improve the carbon storage potential of
4 such forests; and”; and

5 (2) in subsection (l), by amending paragraph
6 (3) to read as follows:

7 “(3) AUTHORIZATION OF APPROPRIATIONS.—
8 There is authorized to be appropriated to the Fund
9 \$25,000,000 for each fiscal year beginning with the
10 first full fiscal year after the date of the enactment
11 of the Trillion Trees Act through fiscal year 2025,
12 to remain available until expended.”.

13 **SEC. 204. CARBON SEQUESTRATION THROUGH THE GOOD**
14 **NEIGHBOR AUTHORITY.**

15 Section 8206 of the Agricultural Act of 2014 (16
16 U.S.C. 2113a) is amended—

17 (1) in subsection (a)(4)(A)—

18 (A) in clause (ii), by striking “and” at the
19 end;

20 (B) by redesignating clause (iii) as clause
21 (iv); and

22 (C) by inserting after clause (ii) the fol-
23 lowing:

24 “(iii) activities to increase stored car-
25 bon; and”; and

1 (2) in subsection (b)(2), by amending subpara-
2 graph (C) to read as follows:

3 “(C) TREATMENT OF REVENUE.—Funds
4 received from the sale of timber by a Governor
5 of a State under a good neighbor agreement
6 shall be retained and used by the Governor to
7 carry out authorized restoration services on
8 Federal land under the good neighbor agree-
9 ment.”.

10 **SEC. 205. CARBON SEQUESTRATION RESEARCH PROGRAMS.**

11 Section 3 of the Forest and Rangeland Renewable
12 Resources Research Act of 1978 (16 U.S.C. 1642) is
13 amended—

14 (1) in subsection (a), by adding at the end the
15 following:

16 “(6) Renewable resource assessment research
17 shall include, as appropriate, research activities re-
18 lated to the sequestration of carbon, including the
19 increased carbon storage through afforestation, re-
20 forestation, forest and rangeland management, and
21 the utilization of wood and other materials derived
22 from forest and rangeland renewable resources to
23 store carbon in building materials, industrial and
24 consumer products.”; and

1 (2) in subsection (d)(2), by adding at the end
2 the following:

3 “(F) Carbon sequestration.”.

4 **TITLE III—MARKET INCENTIVES**
5 **FOR CARBON SEQUESTRATION**

6 **SEC. 301. SUSTAINABLE BUILDING AND RESIDENCE CRED-**

7 **IT.**

8 (a) IN GENERAL.—Subpart B of part IV of sub-
9 chapter A of chapter 1 of the Internal Revenue Code of
10 1986 is amended by adding at the end the following new
11 section:

12 **“SEC. 30E. SUSTAINABLE BUILDING AND RESIDENCE CRED-**

13 **IT.**

14 “(a) IN GENERAL.—There shall be allowed as a cred-
15 it against the tax imposed by this chapter for the taxable
16 year an amount equal to the sustainabililty percentage of
17 the taxpayer’s purchase price of a qualifying building or
18 residence.

19 “(b) APPLICABLE PERCENTAGE.—For purposes of
20 this section—

21 “(1) IN GENERAL.—The sustainability percent-
22 age with respect to any building or residence shall
23 be a percentage equal to the lesser of—

24 “(A) the percentage by which the sustain-
25 ability score for such building or residence ex-

1 ceeds the average sustainability score for the
2 class to which such building or residence be-
3 longs, or

4 “(B) 25 percent.

5 “(2) SUSTAINABILITY SCORING.—

6 “(A) IN GENERAL.—Not later than 1 year
7 after the date of the enactment of this section,
8 the Secretary (in consultation with the Sec-
9 retary of Energy) shall establish—

10 “(i) a certification process for deter-
11 mining a sustainability score with respect
12 to any building for purposes of the credit
13 allowed under this section, and

14 “(ii) an average sustainability score
15 for different classes of buildings for pur-
16 poses of the comparison under subsection
17 (b)(1)(A).

18 “(B) FACTORS FOR SCORE.—Such score
19 shall at least take into account the following
20 factors:

21 “(i) The energy required to produce
22 and deliver materials used in construction
23 of the building, measured by the estimated
24 tonnage of carbon emitted.

1 “(ii) The energy required to operate
2 the building on a yearly basis, measured by
3 an estimate the tonnage of carbon dioxide
4 emitted.

5 “(iii) The amount of carbon dioxide
6 retained by the building which could other-
7 wise be released into the atmosphere, tak-
8 ing into account building construction ma-
9 terials and processes and continuing use or
10 disposal of carbon dioxide in connection
11 with the use of the building.

12 “(iv) The climate in which the build-
13 ing is located.

14 “(C) AVERAGE SUSTAINABILITY.—The
15 classes for which average sustainability scores
16 are determined shall at least take into account
17 the following distinguishing characteristics:

18 “(i) Residential and commercial build-
19 ings.

20 “(ii) Multi-family and single-family
21 residential.

22 “(iii) The size, volume, and intended
23 use of the building.

24 “(D) UPDATES.—The Secretary (in con-
25 sultation with the Secretary of Energy) shall

1 update the sustainability scoring and the sus-
2 tainability score averages established under sub-
3 paragraph (A) not less frequently than once
4 every 5 calendar years.

5 “(E) ADVISORY BOARD.—The Secretary
6 shall establish a volunteer board that advises
7 the Secretary on the sustainability score devel-
8 opment and updates. Such board shall be ap-
9 pointed at the discretion of the Secretary and
10 shall include experts in relevant fields, including
11 energy, construction, transportation, agricul-
12 ture, and labor.

13 “(c) OTHER DEFINITIONS AND SPECIAL RULES.—

14 “(1) PURCHASE PRICE.—The term ‘purchase
15 price’ means so much of the adjusted basis of the
16 property as is not attributable to land.

17 “(2) QUALIFYING BUILDING.—The term ‘quali-
18 fying building or residence’ means, with respect to a
19 taxpayer—

20 “(A) any dwelling unit first used as a resi-
21 dence by the taxpayer, or

22 “(B) any other building or structure of a
23 character subject to the allowance for deprecia-
24 tion and first placed in service by the taxpayer.

1 “(3) CONSTRUCTION.—Any qualifying building
2 or residence constructed by the taxpayer shall be
3 treated as purchased by the taxpayer on the date the
4 taxpayer first occupies the residence, or places such
5 building in service, as the case may be.

6 “(4) TRANSFER OF CREDIT.—

7 “(A) IN GENERAL.—If a taxpayer elects
8 the application of this paragraph for any tax-
9 able year, the amount of credit determined
10 under this section for such year which would
11 (but for this paragraph) be allowable to the tax-
12 payer shall be allowable to the person des-
13 ignated by the taxpayer. The person so des-
14 ignated shall be treated as the taxpayer for pur-
15 poses of this title.

16 “(B) TREATMENT OF AMOUNTS PAID FOR
17 ASSIGNMENT.—If any amount is paid to the
18 person who assigns the credit determined under
19 this section, then no portion of such amount
20 shall be includible in such person’s gross in-
21 come.

22 “(5) BASIS ADJUSTMENT.—For purposes of
23 this subtitle, if a credit is allowed under this section
24 with respect to any qualified building or residence,

1 the basis of such building or residence shall be re-
2 duced by the amount of the credit so allowed.

3 “(6) APPLICATION WITHOUT CREDITS.—

4 “(A) BUSINESS CREDIT TREATED AS PART
5 OF GENERAL BUSINESS CREDIT.—So much of
6 the credit which would be allowed under sub-
7 section (a) for any taxable year (determined
8 without regard to this paragraph) that is attrib-
9 utable to property of a character subject to an
10 allowance for depreciation shall be treated as a
11 credit listed in section 38(b) for such taxable
12 year (and not allowed under subsection (a)).

13 “(B) PERSONAL CREDIT.—For purposes of
14 this title, the credit allowed under subsection
15 (a) for any taxable year (determined after ap-
16 plication of subparagraph (A)) shall be treated
17 as a credit allowable under subpart A for such
18 taxable year.

19 “(7) CARBON STORAGE CERTIFICATION.—

20 Under the certification process established under
21 subsection (b)(2)(A), the Secretaries shall addition-
22 ally establish a process for certifying to the taxpayer
23 the amount of carbon dioxide stored by a building or
24 residence as determined under (b)(2)(B)(iii).”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for subpart B of part IV of subchapter A of chapter 1
3 of such Code is amended by adding at the end the fol-
4 lowing new item:

“Sec. 30E. Sustainable building and residence credit.”.

5 (c) EFFECTIVE DATE.—The amendments made by
6 this section shall apply to property purchased after De-
7 cember 31, 2020.

8 **SEC. 302. CARBON NEUTRALITY OF SUSTAINABLE BIOMASS.**

9 To support the key role that forests in the United
10 States can play in addressing the energy needs of the
11 United States, the Secretary of the Interior, the Secretary,
12 the Secretary of Energy, and the Administrator of the En-
13 vironmental Protection Agency shall, consistent with their
14 legal authority and missions—

15 (1) collaborate to ensure that Federal policy re-
16 lating to forest bioenergy—

17 (A) is consistent across all such respective
18 Federal agencies; and

19 (B) recognizes all the benefits of using for-
20 est biomass for energy, conservation, carbon
21 storage, and responsible forest management;

22 (2) not later than 2 years after the date of the
23 enactment of this Act, establish policies for the use
24 of forest biomass as an energy solution, including
25 policies that—

1 (A) reflect the carbon-neutrality of forest
2 bioenergy and recognize biomass as a renewable
3 energy source, provided the use of forest bio-
4 mass for energy production does not cause con-
5 version of forests to non-forest use; and

6 (B) encourage private investment through-
7 out the forest biomass supply chain, including
8 in—

- 9 (i) working forests;
- 10 (ii) harvesting operations;
- 11 (iii) forest improvement operations;
- 12 (iv) forest bioenergy production;
- 13 (v) wood products manufacturing; or
- 14 (vi) paper manufacturing;

15 (3) encourage forest management to improve
16 forest health; and

17 (4) recognize State and Tribal initiatives to
18 produce and use forest biomass.

19 **SEC. 303. CLARIFICATION OF RESEARCH AND DEVELOP-**
20 **MENT PROGRAM FOR CELLULOSIC BIO-**
21 **CHEMICAL AND BIOPLASTICS.**

22 (a) IN GENERAL.—The Secretary shall conduct per-
23 formance-driven research and development and provide for
24 education and technical assistance for the purpose of fa-

1 cilitating the use of cellulosic biochemical and bioplastics
2 products in the United States.

3 (b) ACTIVITIES.—In carrying out subsection (a), the
4 Secretary shall—

5 (1) after collaboration with the wood products
6 industry, conservation organizations, and institutions
7 of higher education, conduct research and develop-
8 ment, and provide for education and technical assist-
9 ance, at the Forest Products Laboratory or through
10 the State and Private Forestry deputy area that
11 meets measurable performance goals for the achieve-
12 ment of the priorities listed in subsection (c); and

13 (2) after coordination and collaboration with
14 the entities referred to in paragraph (1), make com-
15 petitive grants to institutions of higher education for
16 such institutions to conduct research and develop-
17 ment and carry out educational programs and pro-
18 vide technical assistance.

19 (c) PRIORITIES.—In awarding grants under sub-
20 section (b)(2), the Secretary shall give priority to applica-
21 tions from institutions of higher education proposing
22 projects—

23 (1) to address ways to improve the commer-
24 cialization of cellulosic biochemical and bioplastics
25 products;

1 (2) for the conduct of applied research, includ-
2 ing projects designed to bring products from bench-
3 top to production scale;

4 (3) which, based upon the lifecycle analysis of
5 carbon storage developed under section 103(b), will
6 lead to an increase in carbon storage through the ex-
7 traction of raw materials through the manufacture
8 of biochemical and bioplastics products; or

9 (4) to address one or more other research areas
10 identified by the Secretary, in consultation with con-
11 servation organizations, institutions of higher edu-
12 cation, and the wood products industry.

13 (d) TIMEFRAME.—To the maximum extent prac-
14 ticable, the measurable performance goals for the research
15 and development, education, and technical assistance
16 under subsection (a) shall be achievable within 5 years.

17 (e) DEFINITIONS.—In this section:

18 (1) CELLULOSIC BIOCHEMICAL PRODUCT.—The
19 term “cellulosic biochemical product” means any
20 biochemical, including bioethanol and its derivatives,
21 that is derived from wood or plant cellulose fiber.

22 (2) CELLULOSIC BIOPLASTICS PRODUCT.—The
23 term “cellulosic bioplastics product” means any bio-
24 plastic that is derived from wood or plant cellulose
25 fiber.

1 (3) INSTITUTION OF HIGHER EDUCATION.—The
2 term “institution of higher education” has the
3 meaning given such term in of section 101 of the
4 Higher Education Act of 1965 (20 U.S.C. 1001).

5 (4) SECRETARY.—The term “Secretary” means
6 the Secretary of Agriculture, acting through the Re-
7 search and Development deputy area and the State
8 and Private Forestry deputy area of the Forest
9 Service.

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