

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.

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## 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

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## 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 pacity of the National Forest System based upon the  
3 lifecycle analysis established under section 103(b) of  
4 the Trillion Trees Act; and”; 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”; 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-

pendent testing of the lifecycle models developed under paragraph (1).

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

(i) perform retrospective assessments comparing model predictions to field data on the carbon stored on the National Forest System; and

(ii) require independent evaluation and comparison of lifecycle models developed under paragraph (1) against existing models, and enable empirical testing of hypotheses regarding the net effects on land and atmospheric carbon stocks and other greenhouse gas impacts.

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

**SEC. 104. REFORESTATION PROGRAMS.**

(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(c)) 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. 2103c) 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 sustainability 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-

ceeds the average sustainability score for the class to which such building or residence belongs, or

“(B) 25 percent.

“(2) SUSTAINABILITY SCORING.—

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

“(i) a certification process for determining a sustainability score with respect to any building for purposes of the credit allowed under this section, and

“(ii) an average sustainability score for different classes of buildings for purposes of the comparison under subsection (b)(1)(A).

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

“(i) The energy required to produce and deliver materials used in construction of the building, measured by the estimated 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,

the basis of such building or residence shall be reduced by the amount of the credit so allowed.

“(6) APPLICATION WITHOUT CREDITS.—

“(A) BUSINESS CREDIT TREATED AS PART OF GENERAL BUSINESS CREDIT.—So much of the credit which would be allowed under subsection (a) for any taxable year (determined without regard to this paragraph) that is attributable to property of a character subject to an allowance for depreciation shall be treated as a credit listed in section 38(b) for such taxable year (and not allowed under subsection (a)).

“(B) PERSONAL CREDIT.—For purposes of this title, the credit allowed under subsection (a) for any taxable year (determined after application of subparagraph (A)) shall be treated as a credit allowable under subpart A for such taxable year.

“(7) CARBON STORAGE CERTIFICATION.—

Under the certification process established under subsection (b)(2)(A), the Secretaries shall additionally establish a process for certifying to the taxpayer the amount of carbon dioxide stored by a building or 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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