

AMENDMENT TO H.R. 471

OFFERED BY MR. HUFFMAN OF CALIFORNIA

Page 5, line 18, insert before the period “(as amended by section 505 of this Act)”.

Page 61, line 24, insert before the period “(as amended by section 505 of this Act)”.

At the end of the bill add the following:

1 **TITLE V—COMMUNITY PROTEC-**
2 **TION AND WILDFIRE RESIL-**
3 **IENCE**

4 **SEC. 501. DEFINITIONS.**

5 In this title:

6 (1) ADMINISTRATOR.—The term “Adminis-
7 trator” means the Administrator of the Federal
8 Emergency Management Agency.

9 (2) CHIEF.—The term “Chief” means the Chief
10 of the Forest Service.

11 (3) COMMUNITY PROTECTION AND WILDFIRE
12 RESILIENCE PLAN.—The term “community protec-
13 tion and wildfire resilience plan” means a plan
14 that—

1 (A) is developed by an eligible entity in co-
2 ordination with—

3 (i) the local community and govern-
4 ment;

5 (ii) local Indian Tribes;

6 (iii) local law enforcement, fire-
7 fighters, first responders, fire managers,
8 and utilities;

9 (iv) non-governmental organizations
10 carrying out relevant projects or relevant
11 operations locally; and

12 (v) State agencies responsible for—

13 (I) fire prevention and emergency
14 response;

15 (II) other emergency response;

16 (III) public safety;

17 (IV) environmental protection;

18 and

19 (V) forest management.

20 (B) includes strategies and activities relat-
21 ing to—

22 (i) improving early detection tech-
23 nology, public outreach and education,
24 alerts and warnings, evacuation planning,

1 evacuation execution, and access for first
2 responders;

3 (ii) addressing vulnerable populations,
4 including the elderly, children, individuals
5 with disabilities, and homeless individuals;

6 (iii) hardening and increasing the re-
7 siliency of critical infrastructure and
8 homes, including through incentive pro-
9 grams;

10 (iv) applying community-scale defen-
11 sible space projects, developed collabo-
12 ratively with the entities described in
13 clauses (i) through (iii) of subparagraph
14 (A), across contiguous areas;

15 (v) building local capacity to imple-
16 ment and oversee the plan;

17 (vi) implementing strategic land use
18 planning;

19 (vii) educating community members
20 about ways to improve community resil-
21 ience;

22 (viii) coordinating any existing wild-
23 fire plans, such as a community wildfire
24 protection plan or a community emergency
25 evacuation plan; and

1 (ix) incorporating information from a
2 map generated pursuant to section 210(a)
3 of division O of the Consolidated Appro-
4 priations Act, 2018 (16 U.S.C. 6501 note;
5 Public Law 115–141); and

6 (C) may consist of existing plans or other
7 efforts, provided that any such plan complies
8 with subparagraphs (A) and (B).

9 (4) CRITICAL INFRASTRUCTURE.—The term
10 “critical infrastructure” means any public safety,
11 health, education, transportation, communications,
12 or water or power utility infrastructure or any pri-
13 vate infrastructure necessary to preserve community
14 safety, resilience, or continuity of operation of such
15 infrastructure with respect to a wildfire threat.

16 (5) DEFENSIBLE SPACE PROJECT.—The term
17 “defensible space project”—

18 (A) means a project that is conducted
19 within a radius of not more than 100 feet
20 around a home, business, or administrative fa-
21 cility, and is comprised of vegetation pruning,
22 such as annual removal of tree seedlings and
23 saplings, lower limbs of mature trees, cutting of
24 grasses and reducing density and continuity of

1 shrubs, and removal of most small twigs and
2 leaves; or

3 (B) at the discretion of the Administrator,
4 if a project funded under the program is being
5 carried out in a State that has established, by
6 law, a more restrictive definition of the term,
7 has the meaning given the term in State law.

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

10 (A) a State;

11 (B) an Indian Tribe;

12 (C) a unit of general local or regional gov-
13 ernment, including a fire protection district or
14 a municipal fire department;

15 (D) a volunteer fire department; or

16 (E) a collaborative effort of not less than
17 2 entities described in subparagraphs (A)
18 through (D).

19 (7) PROGRAM.—The term “program” means
20 the grant program established under section 502(a).

21 **SEC. 502. COMMUNITY PROTECTION AND WILDFIRE RESIL-**
22 **IENCE GRANT PROGRAM.**

23 (a) ESTABLISHMENT.—Not later than 1 year after
24 the date of enactment of this Act, the Administrator, act-
25 ing through the United States Fire Administrator and in

1 coordination with the Chief, shall establish a program,
2 which shall be separate from the program established
3 under section 203 of the Robert T. Stafford Disaster Re-
4 lief and Emergency Assistance Act (42 U.S.C. 5133),
5 under which the Administrator shall award grants to eligi-
6 ble entities to—

7 (1) in the case of an eligible entity that has a
8 community protection and wildfire resilience plan,
9 carry out projects described in the community pro-
10 tection and wildfire resilience plan of the eligible en-
11 tity in accordance with subsection (c); or

12 (2) in the case of an eligible entity that does
13 not have a community protection and wildfire resil-
14 ience plan, develop a community protection and wild-
15 fire resilience plan in accordance with subsection (d).

16 (b) CRITERIA FOR GRANTS.—

17 (1) IN GENERAL.—Not later than 1 year after
18 the date of enactment of this Act, the Administrator,
19 acting through the United States Fire Administrator
20 and in coordination with the Chief, shall establish
21 criteria to award grants under the program.

22 (2) COMMUNITIES.—Amounts provided under
23 the program shall be used to conduct projects and
24 activities only in communities in existence on the
25 date of enactment of this Act.

1 (3) PRIORITY.—In awarding grants under the
2 program, the Administrator shall give priority to eli-
3 gible entities that will carry out projects or plans
4 supporting a community located in an area with a
5 high risk for fire or wildfire, as evidenced by a State
6 wildfire hazard map or a map generated pursuant to
7 section 210(a) of division O of the Consolidated Ap-
8 propriations Act, 2018 (16 U.S.C. 6501 note; Public
9 Law 115–141).

10 (c) COMMUNITY PROTECTION AND WILDFIRE RESIL-
11 IENCE GRANTS.—

12 (1) USE OF GRANT FUNDS.—An eligible entity
13 that receives a grant under the program must use
14 grant funds to carry out projects that support a di-
15 verse portfolio of community protection and wildfire
16 resilience strategies described in the community pro-
17 tection and wildfire resilience plan of the eligible en-
18 tity.

19 (2) GRANT AMOUNTS.—A grant under this sub-
20 section shall be for not more than \$10,000,000.

21 (d) COMMUNITY PROTECTION AND WILDFIRE RESIL-
22 IENCE PLAN DEVELOPMENT GRANTS.—

23 (1) USE OF GRANT FUNDS.—An eligible entity
24 that receives a grant under the program may use

1 grant funds to develop a community protection and
2 wildfire resilience plan for the eligible entity.

3 (2) GRANT AMOUNTS.—An award under this
4 subsection shall be for not more than \$250,000.

5 (e) PREFERENCE FOR LOCAL CONTRACTORS AND
6 LABOR.—In carrying out a project using a grant awarded
7 under the program, the grant recipient shall, to the max-
8 imum extent practicable, give preference to contracting
9 with entities, and hiring individuals, from the area in
10 which the project is being carried out, including by
11 partnering with local corps groups such as AmeriCorps or
12 a conservation corps.

13 (f) COST-SHARING.—

14 (1) NON-FEDERAL SHARE REQUIREMENT.—The
15 non-Federal share of the cost (including the admin-
16 istrative cost) of carrying out a project using funds
17 from a grant awarded under the program—

18 (A)(i) shall be not less than 25 percent of
19 the cost of the project to be carried out using
20 grant funds in accordance with subsection (c);
21 and

22 (ii) shall be 0 percent of the cost of the
23 project to be carried out using grant funds in
24 accordance with subsection (d);

25 (B) may be provided by—

1 (i) a State, a unit of local government,
2 an Indian Tribe, a nonprofit organization,
3 private industry, or a combination of those
4 entities; or

5 (ii) volunteer hours and in-kind dona-
6 tions; and

7 (C) may, in the case of a project that
8 serves a low-income community, be in the form
9 of a low-interest Federal loan to the eligible en-
10 tity carrying out the project through the Com-
11 munity Disaster Loan program authorized
12 under section 417 of the Robert T. Stafford
13 Disaster Relief and Emergency Assistance Act
14 (42 U.S.C. 5184).

15 (2) WAIVER; REDUCTION.—In carrying out the
16 program, the Administrator may waive or reduce the
17 non-Federal share amount required under paragraph
18 (1).

19 (g) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated to carry out the pro-
21 gram \$1,000,000,000 for each of fiscal years 2024
22 through 2028.

1 **SEC. 503. GOVERNMENT ACCOUNTABILITY OFFICE RE-**
2 **PORT.**

3 Not later than 1 year after the date of enactment
4 of this Act, the Comptroller General of the United States
5 shall publish a report—

6 (1) on authorities and programs of the Federal
7 Government that are available to protect commu-
8 nities from wildfires; and

9 (2) that includes an assessment of the Comp-
10 troller General with respect to impediments to the
11 implementation of such programs, including gaps in
12 funding.

13 **SEC. 504. GOVERNMENT ACCOUNTABILITY OFFICE STUDY.**

14 Not later than 1 year after the date of enactment
15 of this Act, the Comptroller General of the United States
16 shall publish a study that includes—

17 (1) an assessment of the Comptroller General
18 with respect to—

19 (A) the potential for a community protec-
20 tion and wildfire resilience plan to qualify for a
21 certification identifying a level of wildfire sur-
22 vivability and resilience; and

23 (B) methods that could be used by the
24 Federal Government to incentivize insurance
25 companies to accept such a certification; and

1 (2) an identification of any metrics that could
2 be provided to insurance companies as assurance
3 that a community has wildfire resilience measures in
4 place.

5 **SEC. 505. UPDATING LIST OF AT-RISK COMMUNITIES.**

6 (a) IN GENERAL.—Subparagraph (A) of section
7 101(1) of the Healthy Forests Restoration Act of 2003
8 (16 U.S.C. 6511(1)(A)) is amended to read as follows:

9 “(A) that is comprised of a group of homes
10 and other structures with basic infrastructure
11 and services (such as utilities and collectively
12 maintained transportation routes) within or ad-
13 jacent to Federal land;”.

14 (b) MAP.—Not later than 180 days after the date of
15 enactment of this Act, and every 5 years thereafter, the
16 Administrator, acting through the United States Fire Ad-
17 ministrator and in coordination with the Chief, shall de-
18 velop and publish a map depicting at-risk communities (as
19 defined in section 101 of the Healthy Forests Restoration
20 Act of 2003 (16 U.S.C. 6511), as amended by this sec-
21 tion), including Tribal at-risk communities.

22 **SEC. 506. REPORT ON RADIO COMMUNICATIONS.**

23 (a) IN GENERAL.—Not later than 2 years after the
24 date of enactment of this Act, the Administrator, acting
25 through the United States Fire Administrator and in co-

1 ordination with the Chief, shall prepare a report relating
2 to insufficient radio frequencies, barriers to interoper-
3 ability of radio frequencies, and available products and
4 technologies for overcoming barriers to interoperability for
5 wildfire management.

6 (b) COOPERATION.—In preparing the report under
7 subsection (a), the Administrator shall cooperate with—

8 (1) the Secretary;

9 (2) agencies responsible for the management of
10 Federal land;

11 (3) State fire marshals;

12 (4) State and local emergency response agen-
13 cies;

14 (5) Tribal fire departments and emergency
15 managers; and

16 (6) municipal fire departments, fire protection
17 districts, and volunteer fire departments in relevant
18 communities.

19 (c) COMPATIBILITY; ADDITIONAL FREQUENCIES.—
20 The report under subsection (a) shall include—

21 (1) a determination on whether the entities de-
22 scribed in subsection (b) have the ability to commu-
23 nicate by way of radio during a potential fire sup-
24 pression effort for a community conflagration;

25 (2) a determination on whether—

1 (A) the reserved radio frequencies are suf-
2 ficient for wildfire management; or

3 (B) additional frequencies, listed by type
4 and location, are recommended to be reserved
5 or obtained;

6 (3) an analysis of commercially available tech-
7 nology and products to enable radios from multiple
8 agencies operating on different radio frequencies to
9 be interoperable; and

10 (4) if the Administrator determines under para-
11 graph (1) that any entities do not have the ability
12 to communicate, a plan for ensuring such entities
13 would be able to communicate adequately during a
14 fire suppression effort for a community conflagra-
15 tion.

16 **SEC. 507. AMENDMENT TO COMMUNITY WILDFIRE DE-**
17 **FENSE GRANT PROGRAM TO ALLOW STRUC-**
18 **TURE HARDENING.**

19 Section 40803(f) of the Infrastructure Investment
20 and Jobs Act (16 U.S.C. 6592(f)) is amended—

21 (1) in paragraph (1)(B), by striking “projects”
22 and inserting “projects (including covered
23 projects)”; and

24 (2) in paragraph (3), by adding at the end the
25 following new subparagraph:

1 “(D) COVERED PROJECTS DEFINED.—In
2 this subsection, the term ‘covered projects’
3 means the following:

4 “(i) The construction, modification, or
5 maintenance of a structure to make the
6 structure resistant to the intrusion of
7 flames or embers.

8 “(ii) The modification of a structure
9 or an area adjacent to a structure, (includ-
10 ing vegetation and miscellaneous struc-
11 tures, such as garages, sheds, and fencing)
12 if such modification is carried out—

13 “(I) to reduce the exposure of the
14 structure to direct contact from flame,
15 radiation, or embers from wildfire;
16 and

17 “(II) with consideration for the
18 potential effects on the structure of
19 nearby combustible features (including
20 vegetation, vehicles, and miscellaneous
21 structures, such as garages, sheds,
22 and fencing).”.

