

**AMENDMENT TO H.R. 8790, AS REPORTED  
OFFERED BY MR. HUFFMAN OF CALIFORNIA**

At the end of the bill add the following:

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

**4 SEC. 401. DEFINITIONS.**

**5** In this section:

**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—

**15** (A) is developed by an eligible entity in co-  
**16** ordination with—

**17** (i) the local community and govern-  
**18** ment;

**19** (ii) local Indian Tribes;

1 (iii) local law enforcement, fire-  
2 fighters, first responders, fire managers,  
3 and utilities;

4 (iv) non-governmental organizations  
5 carrying out relevant projects or relevant  
6 operations locally; and

7 (v) State agencies responsible for—

8 (I) fire prevention and emergency  
9 response;

10 (II) other emergency response;

11 (III) public safety;

12 (IV) environmental protection;

13 and

14 (V) forest management.

15 (B) includes strategies and activities relat-  
16 ing to—

17 (i) improving early detection tech-  
18 nology, public outreach and education,  
19 alerts and warnings, evacuation planning,  
20 evacuation execution, and access for first  
21 responders;

22 (ii) addressing vulnerable populations,  
23 including the elderly, children, individuals  
24 with disabilities, and homeless individuals;

1 (iii) hardening and increasing the re-  
2 siliency of critical infrastructure and  
3 homes, including through incentive pro-  
4 grams;

5 (iv) applying community-scale defen-  
6 sible space projects, developed collabo-  
7 ratively with the entities described in  
8 clauses (i) through (iii) of subparagraph  
9 (A), across contiguous areas;

10 (v) building local capacity to imple-  
11 ment and oversee the plan;

12 (vi) implementing strategic land use  
13 planning;

14 (vii) educating community members  
15 about ways to improve community resil-  
16 ience;

17 (viii) coordinating any existing wild-  
18 fire plans, such as a community wildfire  
19 protection plan or a community emergency  
20 evacuation plan; and

21 (ix) incorporating information from a  
22 map generated pursuant to section 210(a)  
23 of division O of the Consolidated Appro-  
24 priations Act, 2018 (16 U.S.C. 6501 note;  
25 Public Law 115–141); and

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

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

11 (5) DEFENSIBLE SPACE PROJECT.—The term  
12 “defensible space project”—

13 (A) means a project that is conducted  
14 within a radius of not more than 100 feet  
15 around a home, business, or administrative fa-  
16 cility, and is comprised of vegetation pruning,  
17 such as annual removal of tree seedlings and  
18 saplings, lower limbs of mature trees, cutting of  
19 grasses and reducing density and continuity of  
20 shrubs, and removal of most small twigs and  
21 leaves; or

22 (B) at the discretion of the Administrator,  
23 if a project funded under the program is being  
24 carried out in a State that has established, by

1 law, a more restrictive definition of the term,  
2 has the meaning given the term in State law.

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

5 (A) a State;

6 (B) an Indian Tribe;

7 (C) a unit of general local or regional gov-  
8 ernment, including a fire protection district or  
9 a municipal fire department;

10 (D) a volunteer fire department; or

11 (E) a collaborative effort of not less than  
12 2 entities described in subparagraphs (A)  
13 through (D).

14 (7) PROGRAM.—The term “program” means  
15 the grant program established under section 3(a).

16 **SEC. 402. COMMUNITY PROTECTION AND WILDFIRE RESIL-**  
17 **IENCE GRANT PROGRAM.**

18 (a) ESTABLISHMENT.—Not later than 1 year after  
19 the date of enactment of this Act, the Administrator, act-  
20 ing through the United States Fire Administrator and in  
21 coordination with the Chief, shall establish a program,  
22 which shall be separate from the program established  
23 under section 203 of the Robert T. Stafford Disaster Re-  
24 lief and Emergency Assistance Act (42 U.S.C. 5133),

1 under which the Administrator shall award grants to eligi-  
2 ble entities to—

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

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

12 (b) CRITERIA FOR GRANTS.—

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

18 (2) COMMUNITIES.—Amounts provided under  
19 the program shall be used to conduct projects and  
20 activities only in communities in existence on the  
21 date of enactment of this Act.

22 (3) PRIORITY.—In awarding grants under the  
23 program, the Administrator shall give priority to eli-  
24 gible entities that will carry out projects or plans  
25 supporting a community located in an area with a

1 high risk for fire or wildfire, as evidenced by a State  
2 wildfire hazard map or a map generated pursuant to  
3 section 210(a) of division O of the Consolidated Ap-  
4 propriations Act, 2018 (16 U.S.C. 6501 note; Public  
5 Law 115–141).

6 (c) COMMUNITY PROTECTION AND WILDFIRE RESIL-  
7 IENCE GRANTS.—

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

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

17 (d) COMMUNITY PROTECTION AND WILDFIRE RESIL-  
18 IENCE PLAN DEVELOPMENT GRANTS.—

19 (1) USE OF GRANT FUNDS.—An eligible entity  
20 that receives a grant under the program may use  
21 grant funds to develop a community protection and  
22 wildfire resilience plan for the eligible entity.

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

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

9 (f) COST-SHARING.—

10 (1) NON-FEDERAL SHARE REQUIREMENT.—The  
11 non-Federal share of the cost (including the admin-  
12 istrative cost) of carrying out a project using funds  
13 from a grant awarded under the program—

14 (A)(i) shall be not less than 25 percent of  
15 the cost of the project to be carried out using  
16 grant funds in accordance with subsection (c);  
17 and

18 (ii) shall be 0 percent of the cost of the  
19 project to be carried out using grant funds in  
20 accordance with subsection (d);

21 (B) may be provided by—

22 (i) a State, a unit of local government,  
23 an Indian Tribe, a nonprofit organization,  
24 private industry, or a combination of those  
25 entities; or



1 (ii) volunteer hours and in-kind dona-  
2 tions; and

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

11 (2) WAIVER; REDUCTION.—In carrying out the  
12 program, the Administrator may waive or reduce the  
13 non-Federal share amount required under paragraph  
14 (1).

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

19 **SEC. 403. GOVERNMENT ACCOUNTABILITY OFFICE RE-**  
20 **PORT.**

21 Not later than 1 year after the date of enactment  
22 of this Act, the Comptroller General of the United States  
23 shall publish a report—

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

4 (2) that includes an assessment of the Comp-  
5 troller General with respect to impediments to the  
6 implementation of such programs, including gaps in  
7 funding.

8 **SEC. 404. GOVERNMENT ACCOUNTABILITY OFFICE STUDY.**

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

12 (1) an assessment of the Comptroller General  
13 with respect to—

14 (A) the potential for a community protec-  
15 tion and wildfire resilience plan to qualify for a  
16 certification identifying a level of wildfire sur-  
17 vivability and resilience; and

18 (B) methods that could be used by the  
19 Federal Government to incentivize insurance  
20 companies to accept such a certification; and

21 (2) an identification of any metrics that could  
22 be provided to insurance companies as assurance  
23 that a community has wildfire resilience measures in  
24 place.

1 **SEC. 405. UPDATING LIST OF AT-RISK COMMUNITIES.**

2 (a) IN GENERAL.—Subparagraph (A) of section  
3 101(1) of the Healthy Forests Restoration Act of 2003  
4 (16 U.S.C. 6511(1)(A)) is amended to read as follows:

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

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

18 **SEC. 406. REPORT ON RADIO COMMUNICATIONS.**

19 (a) IN GENERAL.—Not later than 2 years after the  
20 date of enactment of this Act, the Administrator, acting  
21 through the United States Fire Administrator and in co-  
22 ordination with the Chief, shall prepare a report relating  
23 to insufficient radio frequencies, barriers to interoper-  
24 ability of radio frequencies, and available products and  
25 technologies for overcoming barriers to interoperability for  
26 wildfire management.

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

3 (1) the Secretary;

4 (2) agencies responsible for the management of  
5 Federal land;

6 (3) State fire marshals;

7 (4) State and local emergency response agen-  
8 cies;

9 (5) Tribal fire departments and emergency  
10 managers; and

11 (6) municipal fire departments, fire protection  
12 districts, and volunteer fire departments in relevant  
13 communities.

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

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

20 (2) a determination on whether—

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

23 (B) additional frequencies, listed by type  
24 and location, are recommended to be reserved  
25 or obtained;

1           (3) an analysis of commercially available tech-  
2           nology and products to enable radios from multiple  
3           agencies operating on different radio frequencies to  
4           be interoperable; and

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

11 **SEC. 407. AMENDMENT TO COMMUNITY WILDFIRE DE-**  
12 **FENSE GRANT PROGRAM TO ALLOW STRUC-**  
13 **TURE HARDENING.**

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

16           (1) in paragraph (1)(B), by striking “projects”  
17           and inserting “projects (including covered projects)”  
18           ; and

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

21                   “(D) COVERED PROJECTS DEFINED.—In  
22                   this subsection, the term ‘covered projects’  
23                   means the following:

24                           “(i) The construction, modification, or  
25                           maintenance of a structure to make the

1 structure resistant to the intrusion of  
2 flames or embers.

3 “(ii) The modification of a structure  
4 or an area adjacent to a structure, (includ-  
5 ing vegetation and miscellaneous struc-  
6 tures, such as garages, sheds, and fencing)  
7 if such modification is carried out—

8 “(I) to reduce the exposure of the  
9 structure to direct contact from flame,  
10 radiation, or embers from wildfire;  
11 and

12 “(II) with consideration for the  
13 potential effects on the structure of  
14 nearby combustible features (including  
15 vegetation, vehicles, and miscellaneous  
16 structures, such as garages, sheds,  
17 and fencing).”.

