

AMENDMENT TO RULES COMMITTEE PRINT 116-

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OFFERED BY MR. QUIGLEY OF ILLINOIS

At the end of division L, add the following:

1 **TITLE V—BOTANICAL SCIENCES**
2 **AND NATIVE PLANT MATE-**
3 **RIALS RESEARCH, RESTORA-**
4 **TION, AND PROMOTION**

5 **SEC. 85001. DEFINITIONS.**

6 As used in this title, the following terms have the fol-
7 lowing meanings:

8 (1) **INVASIVE PLANT SPECIES.**—The term
9 “invasive plant species” means a plant species that
10 is nonnative with respect to an ecosystem and whose
11 introduction into that ecosystem will cause, or is
12 likely to cause, economic harm, environmental harm,
13 or harm to human, animal, or plant health.

14 (2) **LOCALLY ADAPTED.**—The term “locally
15 adapted”, with respect to plants, means plants that
16 originate from an area that is geographically prox-
17 imate to a planting area and that are environ-
18 mentally adapted to, and likely to succeed in becom-
19 ing established and persisting within, such area.

1 (3) NATIVE PLANT SPECIES.—The term “native
2 plant species” means indigenous terrestrial and
3 aquatic plant species that evolved naturally in a de-
4 fined native ecosystem.

5 (4) NONNATIVE PLANT SPECIES.—The term
6 “nonnative plant species” means a plant that has
7 been introduced by humans to a location outside its
8 native or natural range and may, depending on rel-
9 evant facts and circumstances, include a species in-
10 troduced from another continent, ecosystem, seed
11 zone, or habitat within an ecosystem.

12 (5) PLANT MATERIALS.—The term “plant ma-
13 terials” includes, with respect to a native plant spe-
14 cies or a nonnative plant species, such a plant or its
15 seeds, eggs, spores, or other biological material capa-
16 ble of propagating that species.

17 **Subtitle A—Promoting Botanical**
18 **Research and Botanical**
19 **Sciences Capacity**

20 **SEC. 85101. DEPARTMENT OF THE INTERIOR BOTANICAL**
21 **RESEARCH.**

22 (a) IN GENERAL.—The Secretary of the Interior, act-
23 ing through the Bureau of Land Management, United
24 States Geological Survey, United States Fish and Wildlife
25 Service, National Park Service, and such other agencies

1 and instrumentalities as the Secretary determines appro-
2 priate, shall support a robust program of intramural and
3 extramural botanical science research as relevant and ap-
4 propriate to support the Department's land management
5 responsibilities.

6 (b) AREAS OF EMPHASIS.—Research conducted pur-
7 suant to this section shall include a focus on the following
8 topics:

9 (1) Effective approaches to restoring habitat
10 damaged by wildfires that incorporate the use of ap-
11 propriate plant materials.

12 (2) Effective methods for developing and using
13 locally adapted native plant materials in land man-
14 agement activities.

15 (3) Effective mitigation strategies for com-
16 bating invasive plant species.

17 (4) Mitigation strategies related to the impacts
18 of long- and medium-term environmental changes
19 such as changes in moisture levels, temperature,
20 landscape fragmentation, nonnative animal and
21 plant species, and human activity.

22 (5) Methods to promote the recovery of threat-
23 ened and endangered species.

24 (c) EXTRAMURAL RESEARCH.—As determined appro-
25 priate by the Secretary, research conducted under this sec-

1 tion may be carried out through competitively awarded
2 grants or contracts, or cooperative agreements, awarded
3 in accordance with all applicable requirements governing
4 such activities.

5 (d) AUTHORIZATION OF APPROPRIATIONS.—To carry
6 out the purposes of this section, there are authorized to
7 be appropriated \$10,000,000 for fiscal year 2020, and
8 such sums as may be necessary for subsequent fiscal
9 years.

10 **SEC. 85102. STAFF ENHANCEMENT.**

11 (a) IN GENERAL.—For the purpose of improving the
12 Department’s land management capabilities, the Secretary
13 of the Interior is authorized to augment the expertise of
14 the Department of the Interior in the botanical sciences
15 by—

16 (1) hiring additional personnel with expertise in
17 the botanical sciences; and

18 (2) establishing a loan forgiveness program to
19 facilitate the hiring of such personnel.

20 (b) AUTHORIZATION.—

21 (1) IN GENERAL.—Subject to the availability of
22 appropriations for such purpose, by not later than
23 September 30, 2020, the Secretary shall hire not
24 more than 20 full-time Botanical Science Personnel
25 to support the Department’s land management re-

1 sponsibilities. The Secretary shall determine the ap-
2 propriate placement of such personnel within the ap-
3 propriate agencies of the Department with major
4 land management responsibilities. The Secretary
5 may waive any limitation on the number of full-time
6 equivalent personnel assigned to the Department
7 and its constituent agencies in order to carry out the
8 purposes of this section.

9 (2) TREATMENT; HIRING REQUIREMENTS.—
10 Personnel hired pursuant to paragraph (1) shall
11 be—

12 (A) in addition to any positions authorized
13 before the date of the enactment of this title
14 and any existing vacancies within the Depart-
15 ment on such date;

16 (B) part of the Competitive Service; and

17 (C) hired in compliance with all applicable
18 provisions of title 5, United States Code.

19 (c) LOAN REPAYMENT PROGRAM.—

20 (1) IN GENERAL.—The Secretary shall establish
21 a program to provide educational loan repayment to
22 qualifying individuals who agree to a term of em-
23 ployment with the Department as Botanical Science
24 Personnel.

1 (2) ELIGIBILITY.—To be eligible to participate
2 in the loan repayment program under this sub-
3 section, an individual shall—

4 (A) either—

5 (i) have a degree in botanical sciences;

6 (ii) be enrolled in an approved grad-
7 uate training program in botanical
8 sciences; or

9 (iii) be enrolled as a full-time student
10 in an accredited educational institution,
11 and in the final year of a course of a study
12 or program, offered by such institution and
13 approved by the Secretary, leading to a de-
14 gree in botanical sciences; and

15 (B) submit to the Secretary an application
16 for a contract described in paragraph (4).

17 (3) INFORMATION TO BE INCLUDED WITH AP-
18 PLICATION AND CONTRACT FORMS.—In dissemi-
19 nating application forms and contract forms to indi-
20 viduals desiring to participate in the loan repayment
21 program, the Secretary shall include with such forms
22 a fair summary of the rights and liabilities of an in-
23 dividual whose application is approved (and whose
24 contract is accepted). Such information shall be
25 written in a manner calculated to be understood by

1 the average individual applying to participate in the
2 loan repayment program.

3 (4) CONTRACTS.—

4 (A) IN GENERAL.—An individual becomes
5 a participant in the loan repayment program
6 only upon the Secretary and the individual en-
7 tering into a written contract whereby—

8 (i) the Secretary agrees to pay on be-
9 half of the individual loans in accordance
10 with paragraph (5), subject to the avail-
11 ability of appropriated funds; and

12 (ii) the individual agrees to—

13 (I) accept loan payments on be-
14 half of the individual; and

15 (II) if applicable, maintain enroll-
16 ment and acceptable academic stand-
17 ing in a course of study or training
18 described in paragraph (2) and serve
19 for a time period equal to 2 years or
20 such longer period as the individual
21 may agree to as a botanical scientist
22 employed by the Department.

23 (B) OTHER TERMS AND CONDITIONS.—

24 Such contracts shall include all other necessary
25 and appropriate terms and conditions to clarify

1 the rights, obligations, and liabilities of the par-
2 ties.

3 (5) REPAYMENT.—

4 (A) IN GENERAL.—A loan repayment pro-
5 vided for an individual under a written contract
6 under the repayment program authorized by
7 this subsection shall consist of payment on be-
8 half of the individual of the principal, interest,
9 and related expenses on government and com-
10 mercial loans received by the individual regard-
11 ing the undergraduate or graduate education of
12 the individual (or both), which loans were made
13 for tuition, other reasonable educational ex-
14 penses, or reasonable living expenses, as deter-
15 mined by the Secretary.

16 (B) AMOUNTS.—For each year of obligated
17 service that an individual contracts to serve, the
18 Secretary may pay up to \$50,000 (plus, begin-
19 ning with fiscal year 2020, an amount deter-
20 mined by the Secretary on an annual basis to
21 reflect inflation) on behalf of the individual for
22 loans described in this paragraph. In making a
23 determination of the amount to pay for a year
24 of such service by an individual, the Secretary
25 may enter into an agreement with the holder of

1 any such loan for which payments are made to
2 establish a schedule for the making of such pay-
3 ments.

4 (6) EMPLOYMENT CEILING.—Notwithstanding
5 any other provision of law, individuals who have en-
6 tered into written contracts with the Secretary under
7 this section, while undergoing academic or other
8 training, shall not be counted against any employ-
9 ment ceiling affecting the Department.

10 (d) DEFINITION.—For the purposes of this section,
11 the term “Botanical Science Personnel” means individuals
12 with post-secondary education in the field of botany, in-
13 cluding plant ecologists and individuals with a bachelor’s
14 degree in plant biology.

15 (e) AUTHORIZATION OF APPROPRIATIONS.—To carry
16 out the purposes of this section, there are authorized to
17 be appropriated—

18 (1) for fiscal year 2020—

19 (A) \$3,000,000 for subsection (b); and

20 (B) \$1,000,000 for subsection (c); and

21 (2) for each fiscal year after fiscal year 2020,

22 such sums as may be necessary.

1 **Subtitle B—Generating Demand for**
2 **Native Plant Materials**

3 **SEC. 85201. POLICY FOR USE OF LOCALLY ADAPTED NA-**
4 **TIVE PLANT MATERIALS.**

5 (a) POLICY.—In undertaking a land management ac-
6 tivity on Federal lands under the jurisdiction of the De-
7 partment of Agriculture or the Department of the Interior,
8 including maintenance and restoration in response to deg-
9 radation caused by human activity or natural events (such
10 as fire, flood, or infestation), it is the policy of the United
11 States that preference shall be made to the extent prac-
12 ticable for the use of locally adapted native plant mate-
13 rials.

14 (b) IMPLEMENTATION.—The Secretary of Agri-
15 culture, acting through the Chief of the Forest Service,
16 and the Secretary of the Interior, acting through the heads
17 of land management agencies of the Department of the
18 Interior, shall—

19 (1) implement the policy established by sub-
20 section (a) through appropriate administrative ac-
21 tions; and

22 (2) specifically identify situations in which the
23 use of nonnative plant materials may be warranted,
24 including situations in which—

1 (A) emergency conditions require the pro-
2 tection of basic resource values;

3 (B) an interim, non-persistent measure is
4 needed to aid in the reestablishment of native
5 plant species;

6 (C) native plant materials are not reason-
7 ably available; or

8 (D) the plant community subject to the
9 land management activity has been permanently
10 altered.

11 (c) DISSEMINATION OF RECOMMENDATIONS FOR
12 OTHER FEDERAL AGENCIES WITH SUBSTANTIAL LAND
13 USE RESPONSIBILITIES.—The Secretary of Agriculture,
14 acting through the Chief of the Forest Service, and the
15 Secretary of the Interior, acting through the heads of land
16 management agencies of the Department of the Interior,
17 shall develop recommended activities for the Departments
18 of Defense, the Department of Transportation, and the
19 Commissioner of the Public Buildings Service to under-
20 take in order to incorporate to the extent practicable the
21 use of locally adapted native plant materials in restoration
22 and management of public lands and buildings funded by,
23 or under the jurisdiction of, such agencies.

1 **Subtitle C—Authorization of Fed-**
2 **eral Native Plant Materials Re-**
3 **lated Activities**

4 **SEC. 85301. INTERAGENCY PLANT MATERIALS EFFORTS.**

5 (a) ACTIVITIES.—The heads of the agencies shall col-
6 laborate, as appropriate, regarding land use responsibility
7 to undertake the following activities related to native plant
8 materials:

9 (1) Identify seed needs and ensure the reliable
10 availability of genetically appropriate seed.

11 (2) Conduct research to develop genetically ap-
12 propriate seed and to improve technology for seed
13 production and ecological restoration.

14 (3) Support land managers' ability to make
15 timely and informed seeding decisions for ecological
16 restoration.

17 (4) Efforts to enhance, protect, and restore
18 plant materials necessary to support pollinators and
19 dispersers.

20 (5) Efforts to coordinate activities aimed at
21 sustaining and restoring public lands through the
22 use of techniques and materials that promote to the
23 extent practicable the use of locally adapted native
24 plant materials.

1 (b) AGENCIES.—For the purposes of this section, the
2 term “agencies” means the following:

3 (1) In the Department of the Interior, the fol-
4 lowing:

5 (A) The Bureau of Indian Affairs.

6 (B) The Bureau of Land Management.

7 (C) The National Park Service.

8 (D) The United States Fish and Wildlife
9 Service.

10 (E) The United States Geological Survey.

11 (2) In the Department of Agriculture, the fol-
12 lowing:

13 (A) The Agricultural Research Service.

14 (B) The Forest Service.

15 (C) The National Institute of Food and
16 Agriculture.

17 (D) The Natural Resources Conservation
18 Service.

19 **SEC. 85302. BUREAU OF LAND MANAGEMENT PLANT CON-**
20 **SERVATION PROGRAM.**

21 (a) IN GENERAL.—The Bureau of Land Management
22 is authorized to undertake activities to develop and use
23 native plant materials.

24 (b) ACTIVITIES.—The following activities are within
25 the scope of this authority:

1 (1) Identifying, evaluating, and protecting rare
2 plants on public lands.

3 (2) Understanding the effects of human activity
4 on native plant species and communities on public
5 lands.

6 (3) Supporting efforts to develop genetically ap-
7 propriate native plant materials for restoring and
8 maintaining habitat for animal and plant species, in-
9 cluding sage grouse, and monitoring the effective-
10 ness of such materials.

11 (4) Ensuring that the needs of the agency for
12 native plant materials are met.

13 (5) Developing seed transfer zones and guide-
14 lines.

15 (6) Supporting public-private partnerships to
16 catalogue and store plant materials.

17 (7) Coordinating a national network of seed
18 storage warehouses.

19 (8) Implementing habitat conservation and res-
20 toration on a landscape scale.

21 (9) Supporting public-private efforts, and volun-
22 teer efforts to support plant conservation.

23 (c) AUTHORIZATION OF APPROPRIATIONS.—To carry
24 out the purposes of this section, there are authorized to
25 be appropriated—

- 1 (1) for fiscal year 2020, \$35,000,000; and
2 (2) for each fiscal year after fiscal year 2020,
3 such sums as may be necessary.

4 **SEC. 85303. NATIONAL FISH AND WILDLIFE FOUNDATION**
5 **PLANT CONSERVATION PROGRAMS.**

6 The National Fish and Wildlife Foundation shall—

- 7 (1) ensure that a robust program of activities
8 specifically focused on the conservation and protec-
9 tion of native plants is incorporated into its existing
10 programs and activities; and
11 (2) provide a report to Congress on its imple-
12 mentation of this section.

