

118TH CONGRESS
1ST SESSION

H. R. 5582

To provide for white oak restoration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 2023

Mr. BARR (for himself, Mr. BERA, Mr. DESJARLAIS, Mr. COHEN, and Mr. MCGARVEY) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committees on Natural Resources, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for white oak restoration, 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.**

4 This Act may be cited as the “White Oak Resilience
5 Act”.

6 **SEC. 2. WHITE OAK RESTORATION INITIATIVE COALITION.**

7 (a) IN GENERAL.—The White Oak Restoration Ini-
8 tiative Coalition shall be established—

9 (1) as a voluntary collaborative group of public,
10 State, private and non-governmental organizations

1 to carry out the purposes described in subsection
2 (b); and

3 (2) in accordance with the charter titled “White
4 Oak Initiative Coalition Charter” adopted by the
5 White Oak Initiative Board of Directors on March
6 21, 2023 (or a successor charter).

7 (b) DUTIES.—In addition to the duties specified in
8 the charter described in subsection (a)(2), the duties of
9 the White Oak Restoration Initiative Coalition are—

10 (1) to coordinate public, State, local, private
11 and non-governmental restoration of white oak in
12 the United States; and

13 (2) to make program and policy recommenda-
14 tions with respect to—

15 (A) changes necessary to address Federal
16 and State policies that impede activities to im-
17 prove the health, resiliency, and natural regen-
18 eration of white oak;

19 (B) adopting or modifying Federal and
20 State policies to increase the pace and scale of
21 white oak regeneration and resiliency of white
22 oak;

23 (C) options to enhance communication, co-
24 ordination, and collaboration between forest
25 land owners, particularly for cross-boundary

1 projects, to improve the health, resiliency, and
2 natural regeneration of white oak;

3 (D) research gaps that should be ad-
4 dressed to improve the best available science on
5 white oak;

6 (E) outreach to forest landowners with
7 white oak or white oak regeneration potential;
8 and

9 (F) options and policies necessary to im-
10 prove the quality and quantity of white oak in
11 tree nurseries.

12 (c) ADMINISTRATIVE SUPPORT, TECHNICAL SERV-
13 ICES, AND STAFF SUPPORT.—The Secretary of the Inte-
14 rior and the Secretary of Agriculture shall make such per-
15 sonnel available to the White Oak Restoration Initiative
16 Coalition for administrative support, technical services,
17 and development and dissemination of educational mate-
18 rials as the Secretaries determine necessary to carry out
19 this section.

20 (d) NONAPPLICABILITY OF FEDERAL ADVISORY
21 COMMITTEE ACT.—Chapter 10 of part I of title 5, United
22 States Code, shall not apply to the White Oak Restoration
23 Initiative Coalition.

24 (e) PRIVATE FUNDING OF WHITE OAK RESTORA-
25 TION PROJECTS.—The Secretary of Agriculture may make

1 funds available to the White Oak Restoration Initiative
2 Coalition to carry out this section from the account estab-
3 lished pursuant to section 1241(f) of the Food Security
4 Act of 1985 (16 U.S.C. 3841(f)).

5 **SEC. 3. FOREST SERVICE PILOT PROGRAM.**

6 (a) IN GENERAL.—The Secretary of Agriculture, act-
7 ing through the Chief of the Forest Service, shall establish
8 and carry out 5 pilot projects in national forests to restore
9 white oak in such forests through white oak restoration
10 and natural regeneration practices.

11 (b) NATIONAL FORESTS RESERVED OR WITHDRAWN
12 FROM THE PUBLIC DOMAIN.—At least 3 pilot projects re-
13 quired under subsection (a) shall be carried out on na-
14 tional forests reserved or withdrawn from the public do-
15 main.

16 (c) AUTHORITY TO ENTER INTO COOPERATIVE
17 AGREEMENTS.—The Secretary of Agriculture may enter
18 into cooperative agreements to carry out the pilot projects
19 required under subsection (a).

20 **SEC. 4. DEPARTMENT OF THE INTERIOR WHITE OAK RE-**
21 **VIEW AND RESTORATION.**

22 (a) ASSESSMENT.—

23 (1) IN GENERAL.—The Secretary of the Inte-
24 rior shall carry out an assessment of land under the
25 administrative jurisdiction of the Department of the

1 Interior, including fish and wildlife refuges and
2 abandoned mine land, to evaluate—

3 (A) whether white oak is present on such
4 land; and

5 (B) the potential to restore white oak for-
6 ests on such land.

7 (2) USE OF INFORMATION.—In carrying out the
8 assessment under paragraph (1), the Secretary may
9 use information from sources other than the Depart-
10 ment of the Interior, including from the White Oak
11 Initiative and the Forest Service.

12 (3) REPORT.—Not later than 90 days after the
13 date of the enactment of this section, the Secretary
14 shall submit to Congress, and make publicly avail-
15 able on the website of the Department of the Inte-
16 rior, a report regarding the results of the assessment
17 carried out under this subsection.

18 (b) PILOT PROJECTS.—After the date on which the
19 report required under subsection (a)(3) is submitted, the
20 Secretary shall establish and carry out 5 pilot projects in
21 different areas of land described in subsection (a)(1) to
22 restore and naturally regenerate white oak.

23 (c) AUTHORITY TO ENTER INTO COOPERATIVE
24 AGREEMENTS.—The Secretary of the Interior may enter

1 into cooperative agreements to carry out the pilot projects
2 required under subsection (b).

3 **SEC. 5. WHITE OAK RESTORATION FUND.**

4 Section 409 of the National Forest Foundation Act
5 (16 U.S.C. 583j-7) is amended—

6 (1) by striking “The activities” and inserting
7 the following:

8 “(a) IN GENERAL.—The activities”; and

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

10 “(b) WHITE OAK RESTORATION FUND.—

11 “(1) IN GENERAL.—Funds described in para-
12 graph (2) shall be made available for activities—

13 “(A) on national forests that are approved
14 by the Secretary, acting through the Chief of
15 the Forest Service; and

16 “(B) to—

17 “(i) re-establish white oak forests
18 where appropriate;

19 “(ii) improve management of existing
20 white oak forests to foster natural regen-
21 eration of white oak;

22 “(iii) improve and expand white oak
23 nursery stock; and

24 “(iv) adapt and improve white oak
25 seedlings.

1 “(2) FUND.—The National Forest Foundation
2 may accept gifts, devises, or bequests for the pur-
3 poses of carrying out the activities specified in para-
4 graph (1).

5 “(3) SUMMARY.—Beginning 1 year after the
6 date of the enactment of this section, the National
7 Forest Foundation shall include in the budget jus-
8 tification materials submitted to Congress in support
9 of the budget of each such Foundation for each fis-
10 cal year (as submitted with the budget of the Presi-
11 dent under section 1105(a) of title 31, United States
12 Code) a summary of the activities carried out under
13 paragraph (1) and the funds accepted under para-
14 graph (2) that includes—

15 “(A) the amount—

16 “(i) accepted under paragraph (2) in
17 the preceding fiscal year; and

18 “(ii) described in clause (i) that is un-
19 obligated on the date of the report; and

20 “(B) a description of the activities under
21 paragraph (1) funded during the preceding fis-
22 cal year.”.

1 **SEC. 6. CIVILIAN CONSERVATION CENTERS REFOREST-**
2 **ATION ACTIVITIES.**

3 Section 147(d) of the Workforce Innovation and Op-
4 portunity Act (29 U.S.C. 3197(d)) is amended by adding
5 at the end the following:

6 “(4) REFORESTATION ACTIVITIES.—Enrollees
7 in Civilian Conservation Centers may provide assist-
8 ance in carrying out reforestation of white oak and
9 associated hardwood forest reforestation projects on
10 National Forest System land in accordance with the
11 land and resource management plan applicable to
12 such land pursuant to section 6 of the Forest and
13 Rangeland Renewable Resources Planning Act of
14 1974 (16 U.S.C. 1604).”.

15 **SEC. 7. TREE NURSERY SHORTAGES.**

16 (a) IN GENERAL.—Not later than 1 year after the
17 date of the enactment of this section, the Secretary of Ag-
18 riculture, acting through the Chief of the Forest Service,
19 shall develop and implement a national strategy to in-
20 crease the capacity of Federal, State, Tribal, and private
21 tree nurseries to address the nationwide shortage of tree
22 seedlings.

23 (b) ELEMENTS.—The strategy required under sub-
24 section (a) shall—

25 (1) be based on the best available science and
26 data; and

1 (2) identify and address—

2 (A) regional seedling shortages of bareroot
3 and container tree seedlings;

4 (B) regional reforestation opportunities
5 and the seedling supply necessary to fulfill such
6 opportunities;

7 (C) opportunities to enhance seedling di-
8 versity and close gaps in seed inventories; and

9 (D) barriers to expanding, enhancing, or
10 creating new infrastructure to increase nursery
11 capacity.

12 **SEC. 8. WHITE OAK RESEARCH.**

13 (a) IN GENERAL.—The Secretary of Agriculture may
14 enter into a memorandum of understanding with a covered
15 land grant college to conduct research on—

16 (1) white oak genes with resistance and stress
17 tolerance;

18 (2) white oak trees that exhibit vigor for the
19 purpose of increasing survival and growth;

20 (3) establishing a diverse white oak seed bank
21 capable of responding to stressors;

22 (4) providing a sustainable supply of white oak
23 seedlings and genetic resources;

24 (5) reforestation of white oak through natural
25 and artificial regeneration; and

1 (6) the best methods for reforesting abandoned
2 mine land sites.

3 (b) CONSULT.—In carrying out the research under
4 subsection (a), the covered land grant college that enters
5 into the memorandum of understanding under such sub-
6 section may consult with such States, nonprofit organiza-
7 tions, institutions of higher education, and other scientific
8 bodies, as the covered land grant college determines appro-
9 priate.

10 (c) COVERED LAND GRANT COLLEGE DEFINED.—In
11 this section, the term “covered land grant college” means
12 an 1862 Institution, an 1890 Institution, or a 1994 Insti-
13 tution (as such terms are defined, respectively, in section
14 2 of the Agricultural Research, Extension, and Education
15 Reform Act of 1998 (7 U.S.C. 7601)).

16 **SEC. 9. USDA FORMAL INITIATIVE.**

17 The Secretary of Agriculture, acting through the
18 Chief of the Natural Resources Conservation Service, shall
19 establish a formal initiative on white oak to—

20 (1) re-establish white oak forests where appro-
21 priate;

22 (2) improve management of existing white oak
23 forests to foster natural regeneration of white oak;

1 (3) provide technical assistance to private land-
2 owners to re-establish, improve management of, and
3 naturally regenerate white oak;

4 (4) improve and expand white oak nursery
5 stock; and

6 (5) adapt and improve white oak seedlings.

7 **SEC. 10. AUTHORITIES.**

8 To the maximum extent practicable, the Secretary of
9 the Interior and the Secretary of Agriculture shall use the
10 authorities provided under this Act and the amendment
11 made by this Act in combination with other authorities
12 to carry out projects, including—

13 (1) good neighbor agreements entered into
14 under section 8206 of the Agricultural Act of 2014
15 (16 U.S.C. 2113); and

16 (2) stewardship contracting projects entered
17 into under section 604 of the Healthy Forests Res-
18 toration Act of 2003 (16 U.S.C. 6591).

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