

118TH CONGRESS  
1ST SESSION

# H. R. 565

To require the Director of the United States Fish and Wildlife Service to enter into an agreement with the National Fish and Wildlife Foundation to establish the Community Resilience and Restoration Fund.

---

## IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 2023

Mr. NEGUSE (for himself, Mr. GRIJALVA, Mr. HUFFMAN, and Ms. STANSBURY) introduced the following bill; which was referred to the Committee on Natural Resources

---

## A BILL

To require the Director of the United States Fish and Wildlife Service to enter into an agreement with the National Fish and Wildlife Foundation to establish the Community Resilience and Restoration Fund.

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 “Land Restoration and  
5 Resiliency Act of 2023”.

1 **SEC. 2. ESTABLISHMENT OF COMMUNITY RESILIENCE AND**  
2 **RESTORATION FUND.**

3 (a) ESTABLISHMENT.—Not later than 180 days after  
4 the date of enactment of this section, the Secretary shall  
5 enter into a cooperative agreement with the Foundation  
6 to establish the Community Resilience and Restoration  
7 Fund at the Foundation to—

8 (1) improve community safety in the face of cli-  
9 matic extremes through conservation and protection  
10 of restoration and resilience lands;

11 (2) to protect, conserve, and restore restoration  
12 and resilience lands in order to help communities re-  
13 spond and adapt to natural threats, including wild-  
14 fire, drought, extreme heat, and other threats posed  
15 or exacerbated by the impacts of global climate;

16 (3) to build the resilience of restoration and re-  
17 siliance lands to adapt to, recover from, and with-  
18 stand natural threats, including wildfire, drought,  
19 extreme heat, and other threats posed or exacer-  
20 bated by the impacts of global climate change;

21 (4) to protect and enhance the biodiversity of  
22 wildlife populations across restoration and resilience  
23 lands;

24 (5) to support the health of restoration and re-  
25 siliance lands for the benefit of present and future  
26 generations;

1           (6) to foster innovative, nature-based solutions  
2 that help meet the goals of this section; and

3           (7) to enhance the Nation’s natural carbon se-  
4 questration capabilities and help communities  
5 strengthen natural carbon sequestration capacity  
6 where applicable.

7           (b) MANAGEMENT OF THE FUND.—The Foundation  
8 shall manage the Fund—

9           (1) pursuant to the National Fish and Wildlife  
10 Foundation Establishment Act (16 U.S.C. 3701 et  
11 seq.); and

12           (2) in such a manner that, to the greatest ex-  
13 tent practicable and consistent with the purposes for  
14 which the Fund is established—

15           (A) ensures that amounts made available  
16 through the Fund are accessible to historically  
17 underserved communities, including Tribal com-  
18 munities, communities of color, and rural com-  
19 munities; and

20           (B) avoids project selection and funding  
21 overlap with those projects and activities that  
22 could otherwise receive funding under—

23           (i) the National Oceans and Coastal  
24 Security Fund, established under the Na-

1                    tional Oceans and Coastal Security Act (16  
2                    U.S.C. 7501); or

3                    (ii) other coastal management focused  
4                    programs.

5                    (c) COMPETITIVE GRANTS.—

6                    (1) IN GENERAL.—To the extent amounts are  
7                    available in the Fund, the Foundation shall award  
8                    grants to eligible entities through a competitive  
9                    grant process in accordance with procedures estab-  
10                    lished pursuant to the National Fish and Wildlife  
11                    Foundation Establishment Act (16 U.S.C. 3701 et  
12                    seq.) to carry out eligible projects and activities, in-  
13                    cluding planning eligible projects and activities.

14                    (2) PROPOSALS.—The Foundation, in coordina-  
15                    tion with the Secretary, shall establish requirements  
16                    for proposals for competitive grants under this sec-  
17                    tion.

18                    (d) USE OF AMOUNTS IN THE FUND.—

19                    (1) PLANNING.—Not less than 8 percent of  
20                    amounts appropriated annually to the Fund may be  
21                    used to plan eligible projects and activities, including  
22                    capacity building.

23                    (2) ADMINISTRATIVE COSTS.—Not more than 4  
24                    percent of amounts appropriated annually to the  
25                    Fund may be used by the Foundation for adminis-

1 trative expenses of the Fund or administration of  
2 competitive grants offered under the Fund.

3 (3) PRIORITY.—Not less than 10 percent of the  
4 funds appropriated in a fiscal year to the Fund or  
5 \$10,000,000 (whichever is the lesser amount) shall  
6 be awarded in such fiscal year to support eligible  
7 projects and activities for Indian Tribes.

8 (4) COORDINATION.—The Secretary and Foun-  
9 dation shall ensure, to the greatest extent prac-  
10 ticable and through meaningful consultation, that  
11 input from Indian Tribes, including traditional eco-  
12 logical knowledge, is incorporated in the planning  
13 and execution of eligible projects and activities.

14 (e) REPORTS.—

15 (1) ANNUAL REPORTS.—Beginning at the end  
16 the first full fiscal year after the date of enactment  
17 of this section, and not later than 60 days after the  
18 end of each fiscal year in which amounts are depos-  
19 ited into the Fund, the Foundation shall submit to  
20 the Secretary a report on the operation of the Fund  
21 including—

22 (A) an accounting of expenditures made  
23 under the Fund, including leverage and match  
24 where applicable;

1 (B) an accounting of any grants made  
2 under the Fund, including a list of recipients  
3 and a brief description of each project and its  
4 purposes and goals; and

5 (C) measures and metrics to track benefits  
6 created by grants administered under the Fund,  
7 including enhanced biodiversity, water quality,  
8 natural carbon sequestration, and resilience.

9 (2) 5-YEAR REPORTS.—Not later than 90 days  
10 after the end of the fifth full fiscal year after the  
11 date of enactment of this section, and not later than  
12 90 days after the end every fifth fiscal year there-  
13 after, the Foundation shall submit to the Secretary  
14 a report containing—

15 (A) a description of any socioeconomic,  
16 biodiversity, community resilience, or climate  
17 resilience or mitigation (including natural car-  
18 bon sequestration), impacts generated by  
19 projects funded by grants awarded by the  
20 Fund, including measures and metrics illus-  
21 trating these impacts;

22 (B) a description of land health benefits  
23 derived from projects funded by grants awarded  
24 by the Fund, including an accounting of—

25 (i) lands treated for invasive species;

1 (ii) lands treated for wildfire threat  
2 reduction, including those treated with  
3 controlled burning or other natural fire-  
4 management techniques; and

5 (iii) lands restored either from wildfire  
6 or other forms of degradation, including  
7 over-grazing and sedimentation;

8 (C) key findings for Congress, including  
9 any recommended changes to the authorization  
10 or purposes of the Fund;

11 (D) best practices for other Federal agen-  
12 cies in the administration of funds intended for  
13 land and habitat restoration;

14 (E) information on the use and outcome of  
15 funds specifically set aside for planning and ca-  
16 pacity building pursuant to section 6; and

17 (F) any other information that the Foun-  
18 dation considers relevant.

19 (3) SUBMISSION OF REPORTS TO CONGRESS.—  
20 Not later than 10 days after receiving a report  
21 under this section, the Secretary shall submit the re-  
22 port to the Committee on Natural Resources of the  
23 House of Representatives and the Committee on En-  
24 vironment and Public Works of the Senate.

1 (4) AUTHORIZATION OF APPROPRIATIONS.—

2 There is hereby authorized to be appropriated to the  
3 Fund \$100,000,000 for each of fiscal years 2024  
4 through 2029 to carry out this section.

5 (f) DEFINITIONS.—For purposes of this section:

6 (1) The term “eligible entity” means a Federal  
7 agency, State, the District of Columbia, a territory  
8 of the United States, a unit of local government, an  
9 Indian Tribe, a nonprofit organization, or an accred-  
10 ited institution of higher education.

11 (2) The term “eligible projects and activities”  
12 means projects and activities carried out by an eligi-  
13 ble entity on public lands, tribal lands, or private  
14 land, or any combination thereof, to further the pur-  
15 poses for which the Fund is established, including  
16 planning and capacity building and projects and ac-  
17 tivities carried out in coordination with Federal,  
18 State, or tribal departments or agencies, or any de-  
19 partment or agency of a subdivision of a State.

20 (3) The term “Foundation” means the National  
21 Fish and Wildlife Foundation established under the  
22 National Fish and Wildlife Foundation Establish-  
23 ment Act (16 U.S.C. 3701 et seq.).



1           (4) The term “Fund” means the Community  
2 Resilience and Restoration Fund established under  
3 subsection (a).

4           (5) The term “Indian Tribe” means the gov-  
5 erning body of any individually identified and feder-  
6 ally recognized Indian or Alaska Native Tribe, band,  
7 nation, pueblo, village, community, affiliated Tribal  
8 group, or component reservation in the list published  
9 pursuant to section 104(a) of the Federally Recog-  
10 nized Indian Tribe List Act of 1994 (25 U.S.C.  
11 5131(a)).

12           (6) The term “restoration and resilience lands”  
13 means fish, wildlife, and plant habitats, and other  
14 important natural areas in the United States, on  
15 public lands, private land (after obtaining proper  
16 consent from the landowner), or land of Indian  
17 Tribes, including grasslands, shrublands, prairies,  
18 chaparral lands, forest lands, deserts, and riparian  
19 or wetland areas within or adjacent to these eco-  
20 systems.

21           (7) The term “public lands” means lands  
22 owned or controlled by the United States.

23           (8) The term “Secretary” means the Secretary  
24 of the Interior, acting through the Director of the  
25 United States Fish and Wildlife Service.

1           (9) The term “State” means a State of the  
2           United States, the District of Columbia, any Indian  
3           Tribe, and any commonwealth, territory, or posses-  
4           sion of the United States.

○