

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5582
OFFERED BY MR. WESTERMAN OF ARKANSAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “White Oak Resilience
3 Act”.

4 SEC. 2. WHITE OAK RESTORATION INITIATIVE COALITION.

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

7 (1) as a voluntary collaborative group of Fed-
8 eral, State, Tribal, and local governments and pri-
9 vate and non-governmental organizations to carry
10 out the duties described in subsection (b); and

11 (2) in accordance with the charter titled “White
12 Oak Initiative Coalition Charter” adopted by the
13 White Oak Initiative Board of Directors on March
14 21, 2023 (or a successor charter).

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

1 (1) to coordinate Federal, State, Tribal, local,
2 private, and non-governmental restoration of white
3 oak in the United States; and

4 (2) to make program and policy recommenda-
5 tions, consistent with applicable forest management
6 plans, with respect to—

7 (A) changes necessary to address Federal
8 and State policies that impede activities to im-
9 prove the health, resiliency, and natural regen-
10 eration of white oak;

11 (B) adopting or modifying Federal and
12 State policies to increase the pace and scale of
13 white oak regeneration and resiliency of white
14 oak;

15 (C) options to enhance communication, co-
16 ordination, and collaboration between forest
17 land owners, particularly for cross-boundary
18 projects, to improve the health, resiliency, and
19 natural regeneration of white oak;

20 (D) research gaps that should be ad-
21 dressed to improve the best available science on
22 white oak;

23 (E) outreach to forest landowners with
24 white oak or white oak regeneration potential;
25 and

1 (F) options and policies necessary to im-
2 prove the quality and quantity of white oak in
3 tree nurseries.

4 (c) ADMINISTRATIVE SUPPORT, TECHNICAL SERV-
5 ICES, AND STAFF SUPPORT.—The Secretary of the Inte-
6 rior and the Secretary of Agriculture shall make such per-
7 sonnel available to the White Oak Restoration Initiative
8 Coalition for administrative support, technical services,
9 and development and dissemination of educational mate-
10 rials as the Secretaries determine necessary to carry out
11 this section.

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

16 (e) PRIVATE FUNDING OF WHITE OAK RESTORA-
17 TION PROJECTS.—The Secretary of Agriculture may make
18 funds available to the White Oak Restoration Initiative
19 Coalition to carry out this section from the account estab-
20 lished pursuant to section 1241(f) of the Food Security
21 Act of 1985 (16 U.S.C. 3841(f)).

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

23 (a) IN GENERAL.—The Secretary of Agriculture, act-
24 ing through the Chief of the Forest Service, shall establish
25 and carry out 5 pilot projects in national forests to restore

1 white oak in such forests through white oak restoration
2 and natural regeneration practices that are consistent with
3 applicable forest management plans.

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

9 (c) AUTHORITY TO ENTER INTO COOPERATIVE
10 AGREEMENTS.—The Secretary of Agriculture may enter
11 into cooperative agreements to carry out the pilot projects
12 required under subsection (a).

13 (d) SUNSET.—The authority under this section shall
14 terminate on the date that is 7 years after the date of
15 the enactment of this Act.

16 **SEC. 4. DEPARTMENT OF THE INTERIOR WHITE OAK RE-**
17 **VIEW AND RESTORATION.**

18 (a) ASSESSMENT.—

19 (1) IN GENERAL.—The Secretary of the Inte-
20 rior shall carry out an assessment of land under the
21 administrative jurisdiction of the Department of the
22 Interior, including fish and wildlife refuges and
23 abandoned mine land, to evaluate—

24 (A) whether white oak is present on such
25 land; and

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

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

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

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

19 (c) AUTHORITY TO ENTER INTO COOPERATIVE
20 AGREEMENTS.—The Secretary of the Interior may enter
21 into cooperative agreements to carry out the pilot projects
22 required under subsection (b).

23 (d) SUNSET.—The authority under this section shall
24 terminate on the date that is 7 years after the date of
25 the enactment of this Act.

1 **SEC. 5. WHITE OAK REGENERATION AND UPLAND OAK**
2 **HABITAT.**

3 (a) ESTABLISHMENT.—Not later than 180 days after
4 the date of the enactment of this Act, the Secretary of
5 Agriculture (in this section referred to as the “Secretary”)
6 shall establish a non-regulatory program to be known as
7 the “White Oak and Upland Oak Habitat Regeneration
8 Program” (in this section referred to as the “Program”).

9 (b) DUTIES.—In carrying out the Program, the Sec-
10 retary shall—

11 (1) draw upon the best available science and
12 management plans for species of white oak to iden-
13 tify, prioritize, and implement restoration and con-
14 servation activities that will improve the growth of
15 white oak within the United States;

16 (2) collaborate and coordinate with the White
17 Oak Restoration Initiative Coalition to prioritize
18 white oak restoration initiatives;

19 (3) adopt a white oak restoration strategy
20 that—

21 (A) supports the implementation of a
22 shared set of science-based restoration and con-
23 servation activities developed in accordance with
24 paragraph (1);

25 (B) targets cost effective projects with
26 measurable results; and

1 (C) maximizes restoration outcomes with
2 no net gain of Federal full-time equivalent em-
3 ployees; and

4 (4) establish the voluntary grant and technical
5 assistance programs in accordance with subsection
6 (e).

7 (c) COORDINATION.—In establishing the Program
8 the Secretary, acting through the Chief of the Forest Serv-
9 ice, shall consult with—

10 (1) the heads of Federal agencies, including—

11 (A) the Director of the United States Fish
12 and Wildlife Service; and

13 (B) the Chief of the Natural Resources
14 Conservation Service; and

15 (2) the Governor of each State in which res-
16 toration efforts will be carried out pursuant to the
17 Program.

18 (d) PURPOSES.—The purposes of the Program in-
19 clude—

20 (1) coordinating restoration and conservation
21 activities among Federal, State, local, and Tribal en-
22 tities and conservation partners to address white oak
23 restoration priorities;

1 (2) improving and regenerating white oak and
2 upland oak forests and the wildlife habitat such for-
3 ests provide;

4 (3) carrying out coordinated restoration and
5 conservation activities that lead to the increased
6 growth of species of white oak in native white oak
7 regions on Federal, State, Tribal, and private land;

8 (4) facilitating strategic planning to maximize
9 the resilience of white oak systems and habitats
10 under changing climate conditions;

11 (5) engaging the public through outreach, edu-
12 cation, and citizen involvement to increase capacity
13 and support for coordinated restoration and con-
14 servation activities for species of white oak; and

15 (6) increasing scientific capacity to support the
16 planning, monitoring, and research activities nec-
17 essary to carry out such coordinated restoration and
18 conservation activities.

19 (e) GRANTS AND ASSISTANCE.—

20 (1) IN GENERAL.—To the extent that funds are
21 available to carry out this section, the Secretary
22 shall establish a voluntary grant and technical as-
23 sistance program (in this section referred to as the
24 “grant program”) to achieve the purposes of the
25 Program described in subsection (d).

1 (2) ADMINISTRATION.—

2 (A) IN GENERAL.—The Secretary shall
3 enter into a cooperative agreement with the Na-
4 tional Fish and Wildlife Foundation (in this
5 subsection referred to as the “Foundation”) to
6 manage and administer the grant program.

7 (B) FUNDING.—After the Secretary enters
8 into a cooperative agreement with the Founda-
9 tion under subparagraph (A), the Foundation
10 shall—

11 (i) for each fiscal year, receive
12 amounts to carry out this subsection in an
13 advance payment of the entire amount on
14 October 1, or as soon as practicable there-
15 after, of that fiscal year;

16 (ii) invest and reinvest such amounts
17 for the benefit of the grant program; and

18 (iii) otherwise administer the grant
19 program to support partnerships between
20 the public and private sectors in accord-
21 ance with this section.

22 (3) APPLICATION OF NATIONAL FISH AND
23 WILDLIFE FOUNDATION ESTABLISHMENT ACT.—
24 Amounts received by the Foundation to carry out
25 the grant program shall be subject to the National

1 Fish and Wildlife Foundation Establishment Act (16
2 U.S.C. 3701 et seq.), excluding section 10(a) of that
3 Act (16 U.S.C. 3709(a)).

4 (f) SUNSET.—The authority under this section shall
5 terminate on the date that is 7 years after the date of
6 the enactment of this Act.

7 **SEC. 6. CIVILIAN CONSERVATION CENTERS REFOREST-**
8 **ATION ACTIVITIES.**

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

12 “(4) REFORESTATION ACTIVITIES.—Enrollees
13 in Civilian Conservation Centers may provide assist-
14 ance in carrying out reforestation of white oak and
15 associated hardwood forest reforestation projects on
16 National Forest System land in accordance with the
17 land and resource management plan applicable to
18 such land pursuant to section 6 of the Forest and
19 Rangeland Renewable Resources Planning Act of
20 1974 (16 U.S.C. 1604).”.

21 **SEC. 7. TREE NURSERY SHORTAGES.**

22 (a) IN GENERAL.—Not later than 1 year after the
23 date of the enactment of this section, the Secretary of Ag-
24 riculture, acting through the Chief of the Forest Service,
25 shall—

1 (1) develop and implement a national strategy
2 to increase the capacity of Federal, State, Tribal,
3 and private tree nurseries to address the nationwide
4 shortage of tree seedlings; and

5 (2) coordinate such strategy with—

6 (A) the national reforestation strategy of
7 the Forest Service; and

8 (B) each regional implementation plan for
9 National Forests.

10 (b) ELEMENTS.—The strategy required under sub-
11 section (a) shall—

12 (1) be based on the best available science and
13 data; and

14 (2) identify and address—

15 (A) regional seedling shortages of bareroot
16 and container tree seedlings;

17 (B) regional reforestation opportunities
18 and the seedling supply necessary to fulfill such
19 opportunities;

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

22 (D) barriers to expanding, enhancing, or
23 creating new infrastructure to increase nursery
24 capacity.

1 **SEC. 8. WHITE OAK RESEARCH.**

2 (a) IN GENERAL.—The Secretary of Agriculture may
3 enter into a memorandum of understanding with a Tribe
4 or institution, including a covered land grant college, to
5 collaboratively conduct research on—

6 (1) white oak genes with resistance or tolerance
7 to stress;

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

10 (3) establishing a genetically diverse white oak
11 seeds bank capable of responding to stressors;

12 (4) providing a sustainable supply of white oak
13 seedlings and genetic resources;

14 (5) improved methods for aligning seed sources
15 with the future climate at planting sites;

16 (6) reforestation of white oak through natural
17 and artificial regeneration;

18 (7) improved methods for retaining and increas-
19 ing white oak trees in forests;

20 (8) improved methods for reforesting aban-
21 doned mine land sites; and

22 (9) economic and social aspects of white oak
23 forest management across land ownerships.

24 (b) CONSULT.—In carrying out the research under
25 subsection (a), the Tribe or institution, including a cov-
26 ered land grant college, that enters into the memorandum

1 of understanding under such subsection may consult with
2 such States, nonprofit organizations, institutions of higher
3 education, and other scientific bodies, as the entity subject
4 to such memorandum determines appropriate.

5 (c) SUNSET.—The authority under this section shall
6 terminate on the date that is 7 years after the date of
7 the enactment of this Act.

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

14 **SEC. 9. USDA FORMAL INITIATIVE.**

15 (a) IN GENERAL.—The Secretary of Agriculture, act-
16 ing through the Chief of the Natural Resources Conserva-
17 tion Service and in coordination with the Chief of the For-
18 est Service, shall establish a formal initiative on white oak
19 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 (b) SUNSET.—The authority under this section shall
8 terminate on the date that is 7 years after the date of
9 the enactment of this Act.

10 **SEC. 10. AUTHORITIES.**

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

16 (1) good neighbor agreements entered into
17 under section 8206 of the Agricultural Act of 2014
18 (16 U.S.C. 2113); and

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

