

118TH CONGRESS
2D SESSION

S. 4149

To establish a contracting preference for public buildings that use innovative wood products in the construction of those buildings, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 17, 2024

Mr. MERKLEY (for himself and Mr. RISCH) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To establish a contracting preference for public buildings that use innovative wood products in the construction of those buildings, 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 “Mass Timber Federal
5 Buildings Act of 2024”.

6 **SEC. 2. MADE IN AMERICA MASS TIMBER.**

7 (a) DEFINITIONS.—In this section:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of General Serv-
3 ices.

4 (2) INNOVATIVE WOOD PRODUCT.—The term
5 “innovative wood product” has the meaning given
6 the term in section 8641 of the Agriculture Improve-
7 ment Act of 2018 (7 U.S.C. 7655c note; Public Law
8 115–334).

9 (3) INNOVATIVE WOOD PRODUCT FACILITY.—
10 The term “innovative wood product facility” has the
11 meaning given the term in section 9013(a) of the
12 Farm Security and Rural Investment Act of 2002 (7
13 U.S.C. 8113(a)).

14 (4) MASS TIMBER.—The term “mass timber”
15 has the meaning given the term in section 8641 of
16 the Agriculture Improvement Act of 2018 (7 U.S.C.
17 7655c note; Public Law 115–334).

18 (5) PUBLIC BUILDING.—

19 (A) IN GENERAL.—Except as provided in
20 subparagraph (B), the term “public building”
21 has the meaning given the term in section
22 3301(a) of title 40, United States Code.

23 (B) INCLUSION.—The term “public build-
24 ing” includes a military installation (as defined

1 in section 2801(c) of title 10, United States
2 Code).

3 (6) RESTORATION PRACTICES.—The term “res-
4 toration practices” means forest management prac-
5 tices based on forest type that re-establish or en-
6 hance ecosystem functions by—

7 (A) modifying or managing the composi-
8 tion, structure, and spatial arrangement of for-
9 est components for complexity and diversity;
10 and

11 (B) establishing or re-establishing proc-
12 esses necessary to make forest and connected
13 aquatic ecosystems ecologically functional, resil-
14 ient to disturbance, or adaptive.

15 (7) SECRETARY.—The term “Secretary” means
16 the Secretary of Defense.

17 (b) MADE IN AMERICA MASS TIMBER PUBLIC
18 BUILDINGS CONTRACTING PREFERENCE.—

19 (1) CONTRACTING PREFERENCE.—

20 (A) IN GENERAL.—In entering into a con-
21 tract for the construction, alteration, acquisi-
22 tion, or lease of a public building, the Adminis-
23 trator or the Secretary, as applicable, shall give
24 priority to public buildings that use, to the
25 maximum extent achievable as determined by

1 the Administrator or the Secretary, as applica-
2 ble, innovative wood products in the construc-
3 tion of those buildings that are—

4 (i) procured from an innovative wood
5 product facility located within the United
6 States; and

7 (ii) harvested from forestlands located
8 within the United States, consistent with
9 responsible sources.

10 (B) RESPONSIBLE SOURCES.—For pur-
11 poses of subparagraph (A)(ii), innovative wood
12 products produced from responsible sources
13 are—

14 (i) produced according to an inde-
15 pendently certified procurement standard;
16 or

17 (ii) from jurisdictions with regulatory
18 or quasi-regulatory programs to implement
19 best management practices, including from
20 Federal, State, and Tribal land.

21 (2) CONTRACTS AND PRIORITY.—

22 (A) IN GENERAL.—In procuring innovative
23 wood products for purposes of carrying out the
24 requirements of paragraph (1), the Adminis-
25 trator or the Secretary, as applicable, shall—

1 (i) consider appropriate contracting
2 options; and

3 (ii) give preference to innovative wood
4 products that are sourced from—

5 (I) restoration practices;

6 (II) forest management actions
7 designed to protect communities and
8 critical infrastructure against cata-
9 strophic wildfire; or

10 (III) underserved forest owners,
11 as determined by the Secretary of Ag-
12 riculture, including Tribally owned
13 forests and small family forests.

14 (B) DOCUMENTATION REQUIRED.—For
15 purposing of verifying that an innovative wood
16 product is sourced in accordance with subclause
17 (I), (II), or (III) of subparagraph (A)(ii), the
18 Administrator or the Secretary, as applicable,
19 shall seek appropriate documentation.

20 (3) LIFECYCLE ASSESSMENT; REPORT.—

21 (A) IN GENERAL.—Not later than 180
22 days after the date of enactment of this Act,
23 the Administrator, in consultation with the Sec-
24 retary of Agriculture, shall conduct a cradle-to-
25 gate whole-building lifecycle assessment consid-

1 ering the global warming potential, in compli-
2 ance with International Organization for Stand-
3 ardization standards 14044 and 14020, of new
4 buildings that use innovative wood products in
5 the construction of those buildings.

6 (B) REPORT.—Not later than 180 days
7 after the date on which the whole-building
8 lifecycle assessment required under subpara-
9 graph (A) is completed, the Administrator, in
10 consultation with the Secretary of Agriculture,
11 shall submit to Congress, and make publicly
12 available, a report describing the results of that
13 assessment.

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