H. R. 1612

AN ACT

To amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation’s natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Public Lands Service
Corps Act of 2010”.

SEC. 2. REFERENCE.

Except as otherwise expressly provided, whenever in
this Act an amendment or repeal is expressed in terms
of an amendment to, or a repeal of, a section or other
provision, the reference shall be considered to be made to
a section or other provision of the Public Lands Corps
Law 91–378).

SEC. 3. AMENDMENTS TO THE PUBLIC LANDS CORPS ACT
OF 1993.

(a) NAME AND PROJECT DESCRIPTION CHANGES.—
The Act is amended—

(1) by striking “Public Lands Corps” each
place it appears and inserting “Public Lands Service
Corps”;

(2) in the title heading, by striking “PUBLIC
LANDS CORPS” and inserting “PUBLIC
LANDS SERVICE CORPS”;

(3) in the section 204—
(A) in the section heading, by striking “PUBLIC LANDS CORPS” and inserting “PUBLIC LANDS SERVICE CORPS”; and

(B) in the heading of subsection (a), by striking “PUBLIC LANDS CORPS” and inserting “PUBLIC LANDS Service Corps”; 

(4) in the heading of paragraph (2) of section 210(a), by striking “PUBLIC LANDS CORPS” and inserting “PUBLIC LANDS SERVICE CORPS”; 

(5) by striking “conservation center” each place it appears and inserting “residential conservation center”; and 

(6) by striking “appropriate conservation projects” each place it appears (except in paragraph (1) of section 204(e) as so redesignated) and inserting “appropriate natural and cultural resources conservation projects”. 

(b) FINDINGS.—Section 202(a) of the Act is amended as follows: 

(1) In paragraph (1), by striking “the natural and cultural” and inserting “natural and cultural”. 

(2) By redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively, and by inserting after paragraph (1) the following:
“(2) Participants in conservation corps receive meaningful training and their experience with such corps provides preparation for careers in public service.

“(3) Young men and women who participate in the rehabilitation and restoration of our Nation’s natural, cultural, historic, archaeological, recreational, and scenic treasures will gain an increased appreciation and understanding of our public lands and heritage, and of the value of public service, and are likely to become life-long advocates for those values.”.

(3) In paragraph (4) (as so redesignated), by inserting “, cultural, historic, archaeological, recreational, and scenic” after “Many facilities and natural”.

(4) By adding at the end the following:

“(6) The work of conservation corps can benefit communities adjacent to public lands and facilities through renewed civic engagement and participation by corps participants and those they serve; improved student achievement; and restoration and rehabilitation of public assets.”.

(c) PURPOSE.—Section 202(b) of the Act is amended to read as follows:
“(b) PURPOSES.—The purposes of this Act are to—

“(1) introduce young men and women to public service while furthering their understanding and appreciation of the Nation’s natural, cultural, historic, archaeological, recreational, and scenic resources;

“(2) facilitate training and recruitment opportunities in which service is credited as qualifying experience for careers in public land management;

“(3) instill in a new generation of young men and women from across the Nation, including those from diverse backgrounds, the desire to seek careers in natural and cultural resource stewardship and public service by allowing them to work directly with professionals in agencies responsible for the management of the Nation’s natural, cultural, historic, archaeological, recreational, and scenic resources;

“(4) perform, in a cost-effective manner, appropriate natural and cultural resources conservation projects where such projects are not being performed by existing employees;

“(5) assist governments and Indian tribes in performing research and public education tasks associated with natural and cultural resources;

“(6) expand educational opportunities by rewarding individuals who participate in national serv-
ice with an increased ability to pursue higher edu-
cation or job training; and

“(7) promote public understanding and appreci-
ation of the individual missions and natural and
cultural resources conservation work of the Federal
agencies through training opportunities, community
service and outreach, and other appropriate
means.”.

(d) DEFINITIONS.—Section 203 of the Act is amend-
ed as follows:

(1) By amending paragraphs (1) and (2) to
read as follows:

“(1) APPROPRIATE NATURAL AND CULTURAL
RESOURCES CONSERVATION PROJECT.—The term
‘appropriate natural and cultural resources conserva-
tion project’ means any project for the conservation,
restoration, construction, or rehabilitation of nat-
ural, cultural, historic, archaeological, recreational,
or scenic resources on public lands.

“(2) CORPS AND PUBLIC LANDS SERVICE
CORPS.—The terms ‘Corps’ and ‘Public Lands Serv-
vice Corps’ mean the Public Lands Service Corps es-
tablished under section 204 of this title.”.

(2) By striking paragraphs (3) and (8).
(3) By redesignating paragraphs (4), (5), (6), (7), (9), (10), (11), (12), and (13) as paragraphs (3) through (11), respectively.

(4) By amending paragraph (7) (as so redesignated) to read as follows:

"(7) PUBLIC LANDS.—The term ‘public lands’ means any lands or waters (or interest therein) owned or administered by the United States, including those areas of coastal and ocean waters, the Great Lakes and their connecting waters, and submerged lands over which the United States exercises jurisdiction, except that such term does not include any Indian lands.’’.

(5) In paragraph (8) (as so redesignated)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period and inserting “; and”;

(C) by adding at the end the following:

“(D) makes available for audit for each fiscal year for which the qualified youth or conservation corps receives Federal funds under this Act, information pertaining to the expenditure of the funds, any matching funds, and participant demographics.”.
(6) In paragraph (10) (as so redesignated)—

(A) in subparagraph (A), by striking “and” at the end;

(B) in subparagraph (B), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(C) with respect to the National Marine Sanctuary System, coral reefs, and other coastal, estuarine, and marine habitats, and other lands and facilities administered by the National Oceanic and Atmospheric Administration, the Secretary of Commerce.”.

(7) By adding at the end the following:

“(12) Residential conservation centers.—The term ‘residential conservation centers’ means the facilities authorized under section 205.

“(13) Consulting intern.—The term ‘consulting intern’ means a consulting intern selected under section 206.

“(14) Public lands service corps participant.—The term ‘Public Lands Service Corps participant’, ‘Corps participant’ or ‘participant of the Corps’ means an individual who is enrolled in the Public Lands Service Corps pursuant to section 204(b).”.

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(c) PUBLIC LANDS SERVICE CORPS PROGRAM.—Section 204 of the Act is amended as follows:

(1) In subsection (a)—

(A) in the heading, by adding at the end "PROGRAM";

(B) by striking "and the Department of Agriculture a" and inserting "the Department of Agriculture, and the Department of Commerce a service and training program titled the"; and

(C) by adding at the end the following:

"The Secretary of the Interior shall establish a department-level office to coordinate Public Lands Service Corps activities within the Department of the Interior. The Secretary of Agriculture shall establish within the U.S. Forest Service an office to coordinate Public Lands Service Corps activities within that agency. The Secretary of Commerce shall establish within the National Oceanic and Atmospheric Administration an office to coordinate Public Lands Service Corps activities within that agency. The Secretary of each department shall designate a Public Lands Service Corps coordinator for each agency within that department that ad-
ministers Public Lands Service Corps activities.”.

(2) By amending subsection (b) to read as follows:

“(b) PARTICIPANTS.—The Secretary may enroll in the Public Lands Service Corps individuals between the ages of 16 and 25, inclusive, who are either hired by an agency under the Secretary’s jurisdiction to perform work authorized under this Act or who are members of a qualified youth or conservation corps with which the Secretary has entered into a cooperative agreement to perform work authorized under this Act. The Secretary may also enroll resource assistants and consulting interns. All enrollees shall be considered Public Lands Service Corps participants, and may be enrolled for a term of up to 24 months of service, which may be served over more than two calendar years. The individuals may be enrolled without regard to the civil service and classification laws, rules, or regulations of the United States. The Secretary may establish a preference for the enrollment in the Corps of individuals who are economically, physically, or educationally disadvantaged.”.

(3) In subsection (c)—

(A) in paragraph (1)—

(i) by striking “contracts and”;

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(ii) by inserting “natural and cultural resources” after “appropriate”; and

(iii) by striking “subsection (d)” and inserting “subsection (e)”;

(B) by redesignating paragraph (2) as paragraph (3);

(C) by inserting after paragraph (1) the following:

“(2) RECRUITMENT.—The Secretary shall undertake, or enter into cooperative agreements to provide, a program to attract eligible youth to the Corps by publicizing Corps opportunities through high schools, colleges, employment centers, electronic media, and other appropriate institutions or means.”; and

(D) by amending paragraph (3) (as so redesignated) to read as follows:

“(3) PREFERENCE.—For purposes of entering into cooperative agreements under paragraph (1), the Secretary may give preference to qualified youth or conservation corps located in a specific area that have a substantial portion of members who are economically, physically, or educationally disadvantaged to carry out projects within the area.”.
(4) By redesignating subsections (d) through (f) as subsections (e) through (g), respectively.

(5) By inserting after subsection (c) the following:

“(d) TRAINING.—The Secretary shall establish a training program based at appropriate residential conservation centers or at other suitable regional Federal or other appropriate facilities or sites to provide training for Corps participants. The Secretary shall—

“(1) ensure that the duration and comprehensiveness of the training program shall be commensurate with the projects Corps participants are expected to undertake;

“(2) develop department-wide standards for the program that include training in—

“(A) resource stewardship;

“(B) ethics for those in public service;

“(C) principles of national service;

“(D) health and safety;

“(E) teamwork and leadership; and

“(F) interpersonal communications;

“(3) direct each participating agency to develop agency-specific training guidelines to ensure that Corps participants enrolled to undertake projects for
that agency are appropriately informed about matters specific to that agency, including—

“(A) the history and organization of the agency;

“(B) the agency’s core values; and

“(C) any agency-specific standards for the management of natural, cultural, historic, archaeological, recreational, and scenic resources; and

“(4) take into account training already received by Corps participants enrolled from qualified youth or conservation corps, including in the matters outlined in paragraph (2).”.

(6) In subsection (e) (as so redesignated)—

(A) in paragraph (1)—

(i) by striking “The Secretary may utilize the Corps or any qualified youth or conservation corps to carry out appropriate” and inserting “The Secretary may use Corps participants to carry out, under appropriate supervision and training, appropriate natural and cultural resource”; and

(ii) by striking “law on public lands.” and inserting the following: “law. Such
projects may include, but are not limited to—

“(A) protection, restoration, or enhancement of ecosystem components to promote species recovery, improve biological diversity, enhance productivity and carbon sequestration, and enhance adaptability and resilience of public lands and resources in the face of climate change and other natural and human disturbances;

“(B) promoting the health of forests and public lands, refuges, and coastal and marine areas, including—

“(i) protection and restoration of watersheds and forest, riparian, estuarine, grassland, coral reef, intertidal, or other habitat;

“(ii) reduction of wildfire risk and mitigation of damage from insects, disease, and disasters;

“(iii) erosion control;

“(iv) control or removal of invasive, noxious, or non-native species;

“(v) restoration of native species; and
“(vi) projects under the Healthy Forests Restoration Act of 2003 (Public Law 108–148);

Projects under this subparagraph shall be considered priority projects;

“(C) collection of biological, archaeological, and other scientific data, including monitoring of climatological information, species populations and movement, habitat status, and other factors;

“(D) assisting in historical and cultural research, archival and curatorial work, oral history projects, documentary photography, and activities that support the creation of public works of art related to public lands; and

“(E) construction, repair, rehabilitation, green building retrofitting, and maintenance of roads, trails, campgrounds, and other facilities, employee housing, cultural and historic sites and structures, and facilities that further the purposes of the Public Lands Service Corps.”.

(B) By redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively.

(C) By inserting after paragraph (1) the following:
“(2) VISITOR SERVICES.—The Secretary may—

“(A) enter into or amend an existing cooperative agreement with a cooperating association, educational institute, friends group, or similar nonprofit partner organization for the purpose of providing training and work experience to Corps participants in areas including, but not limited to, sales, office work, accounting, and management provided that the work experience directly relates to the protection and management of the public lands; and

“(B) allow Corps participants to help promote visitor safety and enjoyment of public lands, and assist in the gathering of visitor use data.

“(3) INTERPRETATION.—The Secretary may assign Corps participants to provide interpretation or education services for the public under the appropriate direction and supervision of agency personnel, including—

“(A) providing orientation and information services to visitors, including services for non-English speaking visitors and visitors who use American Sign Language;
“(B) assisting agency personnel in the delivery of interpretive or educational programs, including outdoor learning and classroom learning;

“(C) presenting programs on Federal lands or at schools, after-school programs, and youth-serving community programs that relate the personal experience of the Corps participant for the purpose of promoting public awareness of the Corps, its role in public land management agencies, and its availability to potential participants; and

“(D) creating nonpersonal interpretive products, such as Web site content, Junior Ranger program books, printed handouts, and audiovisual programs.”.

(D) In paragraph (4) (as so redesignated), by striking “Appropriate conservation projects” and inserting “Appropriate natural and cultural resources conservation projects”.

(7) In subsection (g) (as so redesignated), by striking “appropriate conservation project” inserting “appropriate natural and cultural resources conservation project”.

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(8) By amending the text of subsection (f) (as so redesignated), by inserting “involve improvements to Federal property and” after “preference to those projects which”.

(9) By amending the text of subsection (f)(2) (as so redesignated) to read as follows: “will instill in Corps participants a work ethic and a sense of public service;”.

(10) In subsection (g) (as so redesignated), by striking “on eligible service lands”.

(11) By adding at the end the following:

“(h) OTHER PARTICIPANTS.—The Secretary may allow volunteers from other programs administered or designated by the Secretary to participate as volunteers in projects carried out under this section on such terms as the Secretary considers appropriate.”.

(f) RESIDENTIAL CONSERVATION CENTERS AND PROGRAM SUPPORT.—Section 205 of the Act is amended as follows:

(1) In the section heading, by striking “CONSERVATION” and inserting “RESIDENTIAL CONSERVATION”.

(2) In subsection (a)—

(A) by amending paragraph (1) to read as follows:
“(1) IN GENERAL.—The Secretary may establish residential conservation centers for—

“(A) such housing, food service, medical care, transportation, and other services as the Secretary deems necessary for the Public Lands Service Corps; and

“(B) the conduct of appropriate residential conservation projects under this Act.”;

(B) by striking paragraph (2) and redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively;

(C) in paragraph (2) (as so redesignated)—

(i) in the text, by inserting “residential” before “conservation centers”; and

(ii) in the heading, by inserting “RESIDENTIAL” before “CONSERVATION CENTERS”; and

(D) in paragraph (3) (as so redesignated), by striking “with a State or” and inserting “a cooperative agreement with another Federal, State, or”.

(3) In subsection (b)—

(A) by striking “The Secretary” and inserting the following:
“(1) The Secretary”; and

(B) by adding at the end the following:

“(2) The Secretary may make arrangements with other Federal agencies, States, local, and tribal governments, or private organizations to provide temporary housing as needed and available.

“(3) In project areas where Corps participants can reasonably be expected to reside at their own homes, the Secretary may fund or provide transportation to and from project sites.”.

(4) By redesignating subsection (d) as subsection (g).

(5) By inserting after subsection (c) the following:

“(d) FACILITIES.—The Secretary may, as an appropriate natural and cultural resources conservation project, direct Corps participants to aid in the rehabilitation or construction of residential conservation center facilities, including housing.

“(e) GREEN BUILDINGS.—The Secretary may seek the assistance of the Secretary of Energy in identifying and using solar and other green building technologies and modular housing designs that may be adapted for residential conservation center facilities, including—
“(1) designs from the Department of Energy’s Solar Decathlon competition; and

“(2) logistical support, assistance, and training from Solar Decathlon participants.

“(f) MENTORS.—The Secretary may recruit from programs, such as agency volunteer programs, and from agency retirees, veterans groups, military retirees, active duty personnel, and from appropriate youth-serving organizations, such adults as may be suitable and qualified to provide training, mentoring, and crew-leading services to Corps participants.”.

(6) In subsection (g) (as so redesignated), by striking “are appropriate to carry out this title” and inserting “the Secretary determines to be necessary for the residential conservation center”.

(g) RESOURCE ASSISTANTS AND CONSULTING INTERNS.—Section 206 of the Act is amended as follows:

(1) In the section heading, by inserting “AND CONSULTING INTERNS” before the period.

(2) In subsection (a), by striking “The Secretary is authorized to provide individual placements of resource” and inserting the following: “The Secretary is authorized, to provide individual placements of the following:

“(1) Resource”.

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(3) By inserting after subsection (a)(1) (as so designated), the following:

“(2) Consulting interns with any Federal land, coastal, or ocean management agency under the jurisdiction of the Secretary to carry out management analysis activities on behalf of the agency. To be eligible for selection as a consulting intern, an individual must be a current enrollee and have completed at least one full year at a graduate or professional school that has been accredited by an accrediting body that has been recognized by the Secretary of Education. The Secretary may select consulting interns without regard to the civil service and classification laws, rules, or regulations of the United States.”.

(4) In subsection (b)—

(A) by inserting “or consulting interns” before “through private sources”;

(B) in the second sentence, before the period, by inserting “; up to 15 percent may be in-kind”; and

(C) by striking “Resource Assistants” and inserting “resource assistants or consulting interns”.

(5) By adding at the end the following:
“(c) Cost Sharing Requirements.—At the Secretary’s discretion, the requirements for cost sharing applicable to participating nonprofit organizations for the expenses of resource assistants and consulting interns under subsection (b) may be reduced to not less than 10 percent.”.

(h) Technical Amendment.—The Act is amended by redesignating sections 207, 208, 209, 210, and 211 as sections 208, 209, 210, 211, and 212, respectively.

(i) Guidance.—The Act is amended by inserting after section 206 the following:


“Not later than 18 months after funds are made available for this purpose, the Secretaries shall issue guidelines for the management of the Public Lands Service Corps programs for use by regional and State directors, and the supervisors of individual parks, forests, districts, sanctuaries, reserves, hatcheries, and refuges.”.

(j) Living Allowances and Terms of Service.—Section 208 of the Act (as so redesignated) is amended—

(1) by amending subsection (a) to read as follows:

“(a) Living Allowances.—The Secretary shall provide each Corps participant with a living allowance in an
amount established by the Secretary. The Secretary may—

“(1) apply a cost-of-living differential to such allowances; and

“(2) reimburse Corps participants for travel costs at the beginning and end of their term of service if the Secretary deems appropriate.”;

(2) by amending the text of subsection (b) to read as follows: “Each Corp participant shall agree to participate in the Corps for such term of service as may be established by the Secretary enrolling or selecting the individual.”;

(3) in the heading of subsection (c), by adding at the end “PREFERENCE AND FUTURE EMPLOYMENT”; and

(4) in subsection (c)—

(A) by amending paragraphs (1) and (2) to read as follows:

“(1) grant to a participant of the Public Lands Service Corps credit for service time in the Corps to be used as qualifying experience toward future Federal hiring;

“(2) provide to a former participant of the Public Lands Service Corps noncompetitive hiring status for a period of not more than two years after the
date on which the participant’s service with the Public Lands Service Corps is complete (not counting any time spent enrolled in an academic institution or trade school), if the candidate—

“(A) has served a minimum of 960 hours on an appropriate natural or cultural resource conservation project that included at least 120 hours through the Public Lands Service Corps;

and

“(B) meets Office of Personnel Management qualification standards for the position to which the candidate is applying;”; and

(B) by adding at the end the following:

“(3) develop a system to provide consideration for participants who cannot meet the requirements of paragraph (2);

“(4) provide to an individual who has successfully fulfilled the resource assistant program non-competitive hiring status for a period of not more than two years after the date on which the individual has completed an undergraduate degree from an accredited institution;

“(5) provide to an individual who has successfully fulfilled the consulting internship program non-competitive hiring status for a period of not more
than two years after the date on which the individual has completed a graduate degree from an accredited institution; and

“(6) provide, or enter into cooperative agreements with qualified employment agencies to provide, alumni services such as job and education counseling, referrals, verification of service, communications, and other appropriate services to participants who have completed their Corps service.”.

(k) NATIONAL SERVICE EDUCATIONAL AWARDS.—

Section 209 of the Act (as so redesignated) is amended—

(1) in subsection (a), by striking “If a” and all that follows through “shall be eligible” and inserting “If a Corps participant also serves in an approved national service position designated under subtitle C of title I of the National and Community Service Act of 1990 (42 U.S.C. 12571 et seq.), the Corps participant shall be eligible”; and

(2) in subsection (b), by striking—

(A) “either participants in the Corps or resource assistants” and inserting “participants in the Corps”; and

(B) “or a resource assistant”.

(l) NONDISPLACEMENT.—Section 210 of the Act (as so redesignated) is amended to read as follows:
“SEC. 210. NONDISPLACEMENT.

“The nondisplacement requirements of the National and Community Service Act of 1990 shall be applicable to all activities carried out by the Public Lands Service Corps participants.”.

(m) FUNDING.—Section 211 of the Act (as so redesignated) is amended—

(1) in subsection (a)(1)—

(A) by striking “appropriate conservation project” each place it appears and inserting “appropriate natural and cultural resources conservation project”; and

(B) by adding at the end the following:

“The Secretary may reduce to no less than 10 percent the non-Federal costs of a project when the Secretary determines that it is necessary to enable participation in the Public Lands Service Corps from a greater range of organizations.”;

and

(2) in subsection (b)—

(A) by inserting “program” after “Corps”; and

(B) by inserting “, consulting interns” before “and qualified youth”.

(n) AUTHORIZATION OF APPROPRIATIONS.—Section 212 of the Act (as so redesignated) is amended—
(1) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—There is authorized to be appropriated to carry out this title $12,000,000 for each of fiscal years 2011, 2012, 2013, 2014, and 2015, of which no less than ¾ of the sums shall be made available for healthy forests restoration priority projects under section 204(e)(1)(B)(vi).”;

(2) by striking subsection (b); and

(3) by redesignating subsection (c) as subsection (b).

(o) LIMITATION ON USE OF FUNDS.—No person or entity who is a party to a pending lawsuit against the dispensing Secretary is eligible to receive funds authorized or made available under this Act or amendments made by this Act.

(p) FURTHER LIMITATION ON USE OF FUNDS TO PROTECT CHILDREN.—No adult shall be eligible to receive funds or participate in the Public Lands Service Corps program under this Act or amendments made by this Act, if that person—

(1) refuses to consent to a criminal history check;

(2) makes a false statement in connection with such a criminal history check;
(3) is registered, or is required to be registered, on a State sex offender registry or the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); or

(4) has been convicted of murder, as described in section 1111 of title 18, United States Code.

Passed the House of Representatives March 20, 2010.

Attest:

Clerk.
AN ACT
To amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural environment; promote the value of public service; and provide additional training and educational opportunities for young Americans.

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111th CONGRESS