

PUBLIC LANDS SERVICE CORPS ACT OF 2009

OCTOBER 23, 2009.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. RAHALL, from the Committee on Natural Resources,
submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 1612]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 1612) 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-learning opportunities on public lands, 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, having considered the same, report favorably thereon with amendment and recommend that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Public Lands Service Corps Act of 2009”.

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 Act of 1993 (16 U.S.C. 1721 et seq.; title II of Public 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 service with an increased ability to pursue higher education or job training; and
 - “(7) promote public understanding and appreciation 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 amended 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 conservation project’ means any project for the conservation, restoration, construction, or rehabilitation of natural, cultural, historic, archaeological, recreational, or scenic resources.

“(2) CORPS AND PUBLIC LANDS SERVICE CORPS.—The terms ‘Corps’ and ‘Public Lands Service Corps’ mean the Public Lands Service Corps established 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”; 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).”.

(e) 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 administers 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”;
- (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;
 - and
 - “(v) restoration of native species;

“(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”.

(8) 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;”.

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

(10) 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 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”.
 - (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:

“SEC. 207. GUIDANCE.

“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 non-competitive 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 noncompetitive 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 noncompetitive 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) in subsection (a), by inserting “to the Secretary” after “authorized to be appropriated”;
 - (2) in subsection (a), by striking “to carry out” the first place it appears and all that follows through the period and inserting “such sums as may be necessary to carry out this title.”;
 - (3) by striking subsection (b); and
 - (4) by redesignating subsection (c) as subsection (b).

Amend the title so as to read:

A bill 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.

PURPOSE OF THE BILL

The purpose of H.R. 1612, as ordered reported, is 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.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 1612 builds on the already successful, but underfunded, program established in the Public Lands Corps Act of 1993 (Sec. 105 of P.L. 103–82). That program has employed thousands of young people to repair and restore our national parks.

The program is currently authorized at \$12 million annually for conservation projects by Department of the Interior land management agencies and the U.S. Forest Service. However, until fiscal year 2009, no money had been appropriated for the program. The National Park Service has utilized its authority to use fee revenues for backlog maintenance work to finance projects under the Public Lands Corps program. In fiscal year 2009, \$2.5 million was appropriated for healthy forests projects under the authority of 2005 amendments to the Public Lands Corps Act (P.L. 109–154).

COMMITTEE ACTION

H.R. 1612 was introduced on March 19, 2009, by Natural Resources Committee Chairman Nick J. Rahall II (D–WV) and Subcommittee on National Parks, Forests and Public Lands Chairman Raul Grijalva (D–AZ). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands.

On April 2, 2009, the Subcommittee held a hearing on the bill. Representatives of the Departments of Agriculture and the Interior testified in favor of H.R. 1612. The Subcommittee has also received a letter of support from the Department of Commerce.

On June 10, 2009, the Subcommittee was discharged from further consideration of H.R. 1612 and the Full Natural Resources Committee met to consider the bill. Subcommittee Chairman Grijalva offered an amendment in the nature of a substitute to clarify that the authorities granted in this bill apply across the entire Department of the Interior, and ensure that each Interior agency, as well as the Forest Service and the National Oceanic and Atmospheric Administration (NOAA), may engage in Public Land Service Corps activities, have a coordinator assigned by the Secretary, and develop specific training guidelines. Also at the request of the Administration, the amendment in the nature of a substitute alters the cost-sharing language for resource assistants and consulting interns. The amendment in the nature of a substitute also made technical, clarifying and conforming changes to the bill.

Representative Rob Bishop (R-UT) offered an amendment to the amendment in the nature of a substitute to identify projects under the Healthy Forests Restoration Act of 2003 (P.L. 108-148) as priority projects and direct that half the funding appropriated for the Public Lands Service Corps be directed to those priority projects. The amendment was not agreed to by voice vote.

Representative Doc Hastings (R-WA) offered an amendment to the amendment in the nature of a substitute to allow the Secretary to grant an enrollment preference to residents of counties eligible to receive funds under the Secure Rural Schools Program (P.L. 106-393). The amendment was withdrawn.

Representative Bishop offered an amendment to the amendment in the nature of a substitute to clarify that appropriate natural and cultural resource conservation projects will take place on public lands, and to clarify what constitutes a preferred project. The amendment was withdrawn.

The amendment in the nature of a substitute was then agreed to by voice vote, and H.R. 1612, as amended, was ordered favorably reported to the House of Representatives by voice vote.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 provides that the bill may be cited as the “Public Lands Service Corps Act of 2009.”

Section 2. Reference

Section 2 provides that all references to “the Act” in this bill are references to the Public Lands Corps Act of 1993 (16 U.S.C. 1721 et seq.; title II of Public Law 91-378).

Section 3. Amendments to the Public Lands Corps Act of 1993

Section 3 renames the corps as the Public Lands Service Corps, and makes numerous amendments to expand the scope of the program by including all Interior Department agencies and the National Oceanic and Atmospheric Administration (NOAA) of the Department of Commerce. Current law applies only to the National

Park Service, the U.S. Fish and Wildlife Service, the Bureau of Land Management and the Agriculture Department's U.S. Forest Service.

Section 3(c) adds additional purposes to the act, including instilling in a new generation of young people, 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 the agencies responsible for managing the nation's natural, cultural, historic, archaeological, recreational and scenic resources.

Section 3(d) refines the definitions in the original act to conform to the new version of the program, including making clear that the "appropriate natural and cultural resources conservation projects" authorized in the bill mean any project for the conservation, restoration, construction or rehabilitation of natural, cultural, historic, archaeological, recreational, or scenic resources. This section also expands the definition of public lands to include those areas of coastal and ocean waters, the Great Lakes and their connecting waters, and submerged lands over which the United States has jurisdiction; and clarify that in the case of the National Marine Sanctuary system and other lands and facilities administered by NOAA, the term "Secretary" refers to the Secretary of Commerce.

Section 3(e)(1) establishes the Public Lands Service Corps and directs the Secretaries of Agriculture and Commerce to establish a coordinating office and a coordinator for the corps within the Forest Service and NOAA, respectively. For the Department of the Interior, this provision directs the Secretary to establish a department-wide coordinating office and a coordinator for each agency that administers Corps activities.

Section 3(e)(2) outlines who may be enrolled in the Corps, allows the Secretaries to enter into agreements with qualified youth or conservation corps to perform the projects authorized under the bill.

Section 3(e)(3) directs the Secretaries to undertake, or enter into cooperative agreements to provide, a recruiting program to attract eligible youth to the program and allows the Secretaries to give preference to qualified youth or conservation corps from disadvantaged areas.

Section 3(e)(5) directs the Secretaries to establish training programs based at residential conservation centers or other appropriate facilities to ensure that, during their service term, participants receive adequate training for the work they have been assigned, including agency-specific standards, principles and practices. This provision also provides guidance as to the matters in which Corps participants should be instructed.

Section 3(e)(6) modernizes the scope of eligible projects that may be performed by Corps participants to reflect new challenges, such as climate change.

Section 3(f) authorizes agencies to provide housing for Corps participants, including allowing Corps participants to construct such housing if needed. The Secretaries may also make arrangements with other federal agencies, states, local governments, or private organizations to provide temporary housing as needed and available. The section also allows the Secretaries to seek the assistance of the Secretary of Energy in identifying and using solar and other

green building design for those residential conservation centers. This section also allows the Secretaries to fund or provide transportation in project areas where Corps participants can reasonably be expected to reside at home.

Another provision of Section 3(f) authorizes agencies to enlist current employees and volunteers, public lands agency retirees, military personnel and/or veterans to serve as mentors and allows agency volunteers to participate as crew members on Corps projects.

Section 3(g) establishes a new category of Corps participants, to be known as consulting interns, to carry out management analysis activities for the agencies. The category, aimed at graduate students, is similar to the existing category of resource assistants, a position aimed at college students who are selected to carry out research or resource activities for the agencies.

Section 3(i) requires the Secretaries to issue guidelines for the management of the Public Lands Service Corps for use by agency managers.

Section 3(j) directs the Secretaries to provide each Corps participant with a living allowance, to which the Secretaries may apply a cost-of-living differential, and provide reimbursement for transportation at the beginning and end of a participant's term if appropriate. This section also broadens existing preferential hire provisions and authorizes the agencies to provide alumni services such as verification of service and/or references for students and other appropriate career development assistance.

Section 3(m) allows the Secretaries to reduce the existing 25 percent cost-share required of qualified youth or conservation corps who are participating in a project to no less than 10 percent if the Secretaries find the reduction is needed to enable participation by a greater range of organizations.

Section 3(n) repeals the \$12 million appropriations ceiling contained in existing law, and authorizes the appropriation to the Secretaries of such sums as may be necessary to carry out the legislation.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill pre-

pared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill, as ordered reported, is 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.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

H.R. 1612—Public Lands Service Corps Act of 2009

Summary: H.R. 1612 would amend the Public Lands Corps Act of 1993, which governs programs that assist and employ young adults to work on lands managed by the Department of the Interior (DOI), the Forest Service, and other federal agencies. Assuming appropriation of the necessary amounts, CBO estimates that implementing the legislation would cost \$120 million over the 2010–2014 period. Enacting the bill would not affect revenues or direct spending.

H.R. 1612 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 1612 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—					
	2010	2011	2012	2013	2014	2010–2014
Estimated Authorization Level	30	30	30	30	30	150
Estimated Outlays	10	20	30	30	30	120

Basis of estimate: For this estimate, CBO assumes that H.R. 1612 will be enacted near the beginning of fiscal year 2010 and that the amounts estimated to be necessary will be appropriated for each year. Estimated outlays are based on historical spending patterns for similar programs.

In addition to changing the name of the Public Lands Corps (PLC) to the Public Lands Service Corps (PLSC), the bill would:

- Expand the program to include the National Oceanic and Atmospheric Administration (NOAA);
- Require DOI to establish a department-level office to coordinate PLSC programs among its various bureaus;

- Emphasize that training for participants should be provided at federal residential centers;
- Authorize federal appropriations to be used for transportation subsidies; and
- Eliminate the program's current authorization ceiling of \$12 million a year.

Public Lands Corps under current law

The Public Lands Corps is a network of young men and women, most of whom are recruited by federal land management agencies through nonprofit organizations such as the Student Conservation Association and over 100 local conservation service corps.

Several agencies, such as the U.S. Forest Service, the National Park Service (NPS), the Bureau of Land Management (BLM) and the U.S. Fish and Wildlife Service (USFWS), use members of the corps and students from other programs to build trails, perform maintenance, and carry out other projects in exchange for benefits such as training, living allowances, and medical care.

Existing corps programs vary by agency and funding source. Currently, only the Forest Service receives specific appropriations for some PLC projects, but the funding (less than \$3 million in 2009) may only be used for hazardous fuels reduction. The NPS also receives funding for PLC projects, but that funding is derived from recreation fees that the agency is able to use without appropriations action. (The President's 2010 budget for the NPS requested \$5 million of appropriated funds to expand youth activities at parks.) Other agencies work with student conservation groups using funds from their annual operating budgets.

Public Lands Service Corps (PLSC)

H.R. 1612 would significantly expand PLC programs and change the corps' name to the Public Lands Service Corps. Under the bill, participants could receive classroom education, more job training, transportation subsidies, housing during their time in the program, and hiring preferences upon completion of their tenure. The bill also would expand the types of activities in which PLSC members could participate.

The effect of H.R. 1612 on discretionary spending is uncertain, largely because total costs would depend on how the Administration chooses to implement the legislation and on how much funding the Congress would provide in appropriations acts. Based on information provided by the affected agencies, CBO expects that all of those agencies, including the newly added NOAA, would take advantage of the authorities provided by the bill.

For this estimate, CBO assumes that the land management agencies and NOAA would, over the next five years, implement H.R. 1612 by expanding their use of federal-nonprofit partnerships. We expect that the affected agencies would need a total of about \$30 million annually for this purpose. Such funding would allow agencies that have smaller PLSC programs (including the USFWS and BLM) to expand their programs, primarily by working with nonprofit corps in areas such as wildlife refuges and national monuments. The funding would also enable the Forest Service to expand the scope of its corps programs to encompass more activities such as trail construction and facility maintenance. This level of

funding also would allow the NPS to expand its existing program—the largest of any of the agencies—using discretionary funding as requested in the 2010 President’s budget. The estimated annual cost of \$30 million also includes funds to operate an office at DOI to coordinate the department’s activities and to provide participants with extra training, allowances, and transportation subsidies.

CBO estimates that funding for the PLSC would grow after 2014 as the Administration uses the enhanced authorities contained in the bill to recruit participants directly to agency programs. CBO estimates that implementing the expanded program would require a significant increase in funding after 2015.

This estimate is based on information provided by the NPS, the Forest Service, BLM, and nonprofit organizations that operate local conservation corps.

Intergovernmental and private-sector impact: H.R. 1612 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

Estimate prepared by: Federal Costs: Deborah Reis; Impact on State, Local, and Tribal Governments: Melissa Merrell; Impact on the Private Sector: Marin Randall.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

EARMARK STATEMENT

H.R. 1612 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

PUBLIC LANDS CORPS ACT OF 1993

TITLE II—[PUBLIC LANDS CORPS] *PUBLIC LANDS SERVICE CORPS*

SEC. 201. SHORT TITLE.

This title may be cited as the “[Public Lands Corps] *Public Lands Service Corps Act of 1993*”.

SEC. 202. CONGRESSIONAL FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) Conserving or developing natural and cultural resources and enhancing and maintaining environmentally important lands and waters through the use of the Nation's young men and women in a **Public Lands Corps** *Public Lands Service Corps* can benefit those men and women by providing them with education and work opportunities, furthering their understanding and appreciation of **the natural and cultural** *natural and cultural* resources, and providing a means to pay for higher education or to repay indebtedness they have incurred to obtain higher education while at the same time benefiting the Nation's economy and its environment.

(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.*

[(2)] (4) Many facilities and natural, cultural, historic, archaeological, recreational, and scenic resources located on eligible service lands are in disrepair or degraded and in need of labor intensive rehabilitation, restoration, and enhancement work which cannot be carried out by Federal agencies at existing personnel levels.

[(3)] (5) Youth conservation corps have established a good record of restoring and maintaining these kinds of facilities and resources in a cost effective and efficient manner, especially when they have worked in partnership arrangements with government land management agencies.

(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.*

[(b)] PURPOSE.—It is the purpose of this title to—

[(1)] perform, in a cost-effective manner, appropriate natural and cultural resources conservation projects on eligible service lands where such projects will not be performed by existing employees;

[(2)] assist governments and Indian tribes in performing research and public education tasks associated with natural and cultural resources on eligible service lands;

[(3)] expose young men and women to public service while furthering their understanding and appreciation of the Nation's natural and cultural resources;

[(4)] expand educational opportunities by rewarding individuals who participate in national service with an increased ability to pursue higher education or job training; and

[(5)] stimulate interest among the Nation's young men and women in conservation careers by exposing them to conservation professionals in land managing agencies.]

(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 service with an increased ability to pursue higher education or job training; and

(7) promote public understanding and appreciation 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.

SEC. 203. DEFINITIONS.

For purposes of this title:

[(1) **APPROPRIATE CONSERVATION PROJECT.**—The term “appropriate conservation project” means any project for the conservation, restoration, construction or rehabilitation of natural, cultural, historic, archaeological, recreational, or scenic resources.

[(2) **CORPS AND PUBLIC LANDS CORPS.**—The terms “Corps” and “Public Lands Corps” mean the Public Lands Corps established under section 204.

[(3) **ELIGIBLE SERVICE LANDS.**—The term “eligible service lands” means public lands, Indian lands, and Hawaiian home lands.]

*(1) **APPROPRIATE NATURAL AND CULTURAL RESOURCES CONSERVATION PROJECT.**—The term “appropriate natural and cultural resources conservation project” means any project for the conservation, restoration, construction, or rehabilitation of natural, cultural, historic, archaeological, recreational, or scenic resources.*

*(2) **CORPS AND PUBLIC LANDS SERVICE CORPS.**—The terms “Corps” and “Public Lands Service Corps” mean the Public Lands Service Corps established under section 204 of this title.*

[(4)] (3) **HAWAIIAN HOME LANDS.**—The term “Hawaiian home lands” means all lands given the status of Hawaiian home lands under section 204 of the Hawaiian Homes Commission Act, 1920 (42 Stat. 110), or under the corresponding provision

of the Constitution of the State of Hawaii adopted under section 4 of the Act entitled “An Act to provide for the admission of the State of Hawaii into the Union”, approved March 18, 1959 (Public Law 86–3; 73 Stat. 5).

[(5)] (4) INDIAN.—The term “Indian” means a person who—
(A) * * *

* * * * *
[(6)] (5) INDIAN LANDS.—The term “Indian lands” means—
(A) * * *

* * * * *
[(7)] (6) INDIAN TRIBE.—The term “Indian tribe” means an Indian tribe, band, nation, or other organized group or community, including any Native village, Regional Corporation, or Village Corporation, as defined in subsection (c), (g), or (j), respectively, of section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602 (c), (g), or (j)), that is recognized as eligible for the special programs and services provided by the United States under Federal law to Indians because of their status as Indians.

[(8) PRIORITY PROJECT.—The term “priority project” means an appropriate conservation project conducted on eligible service lands to further 1 or more of the purposes of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 et seq.), as follows:

[(A) To reduce wildfire risk to a community, municipal water supply, or other at-risk Federal land.

[(B) To protect a watershed or address a threat to forest and rangeland health, including catastrophic wildfire.

[(C) To address the impact of insect or disease infestations or other damaging agents on forest and rangeland health.

[(D) To protect, restore, or enhance forest ecosystem components to—

[(i) promote the recovery of threatened or endangered species;

[(ii) improve biological diversity; or

[(iii) enhance productivity and carbon sequestration.

[(9) PUBLIC LANDS.—The term “public lands” means any lands or waters (or interest therein) owned or administered by the United States, except that such term does not include any Indian lands.]

(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.*

[(10)] (8) QUALIFIED YOUTH OR CONSERVATION CORPS.—The term “qualified youth or conservation corps” means any program established by a State or local government, by the governing body of any Indian tribe, or by a nonprofit organization that—

(A) * * *

(B) gives participants a mix of work experience, basic and life skills, education, training, and support services; **[and]**

(C) provides participants with the opportunity to develop citizenship values and skills through service to their community and the United States**[.]**; *and*

(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.

[(11)] (9) RESOURCE ASSISTANT.—The term “resource assistant” means a resource assistant selected under section 206.

[(12)] (10) SECRETARY.—The term “Secretary” means—

(A) with respect to National Forest System land, the Secretary of Agriculture; **[and]**

(B) with respect to Indian lands, Hawaiian home lands, or land administered by the Department of the Interior, the Secretary of the Interior**[.]**; *and*

(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.

[(13)] (11) STATE.—The term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands of the United States, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(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).*

SEC. 204. [PUBLIC LANDS CORPS] PUBLIC LANDS SERVICE CORPS PROGRAM.

(a) ESTABLISHMENT OF **[PUBLIC LANDS CORPS]** *PUBLIC LANDS SERVICE CORPS PROGRAM.*—There is hereby established in the Department of the Interior **[and the Department of Agriculture a Public Lands Corps]**, *the Department of Agriculture, and the Department of Commerce a service and training program titled the Public Lands Service Corps. 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 Serv-*

ice Corps coordinator for each agency within that department that administers Public Lands Service Corps activities.

[(b) PARTICIPANTS.—The Corps shall consist of individuals between the ages of 16 and 25, inclusive, who are enrolled as participants in the Corps by the Secretary. To be eligible for enrollment in the Corps, an individual shall satisfy the criteria specified in section 137(b) of the National and Community Service Act of 1990. The Secretary may enroll such individuals in the Corps 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.]

(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.*

(c) QUALIFIED YOUTH OR CONSERVATION CORPS.—

(1) IN GENERAL.—The Secretary is authorized to enter into [contracts and] cooperative agreements with any qualified youth or conservation corps to perform appropriate *natural and cultural resources* conservation projects referred to in [subsection (d)] *subsection (e)*.

(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.*

[(2) PREFERENCE.—

[(A) IN GENERAL.—For purposes of entering into contracts and 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.

[(B) PRIORITY PROJECTS.—In carrying out projects in a specific area, the Secretary shall, to the maximum extent practicable, give preference to qualified youth or conservation corps located in that specific area that have a substantial portion of members who are economically, physically, or educationally disadvantaged.]

(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 spe-*

cific area that have a substantial portion of members who are economically, physically, or educationally disadvantaged to carry out projects within the area.

(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).

[(d)] (e) *PROJECTS TO BE CARRIED OUT.*—

(1) *IN GENERAL.*—[The Secretary may utilize the Corps or any qualified youth or conservation corps to carry out appropriate] *The Secretary may use Corps participants to carry out, under appropriate supervision and training, appropriate natural and cultural resource conservation projects which the Secretary is authorized to carry out under other authority of [law on public lands.] 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; and*

(v) restoration of native species;

(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.

(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.

[(2)] (4) PROJECTS ON INDIAN LANDS.—[Appropriate conservation projects] *Appropriate natural and cultural resources conservation projects* may also be carried out under this title on Indian lands with the approval of the Indian tribe involved and on Hawaiian home lands with the approval of the Department of Hawaiian Home Lands of the State of Hawaii.

[(3)] (5) DISASTER PREVENTION OR RELIEF PROJECTS.—The Secretary may authorize [appropriate conservation projects] *appropriate natural and cultural resources conservation projects* and other appropriate projects to be carried out on

Federal, State, local, or private land as part of a Federal disaster prevention or relief effort.

[(e)] (f) PREFERENCE FOR CERTAIN PROJECTS.—In selecting [appropriate conservation projects] *appropriate natural and cultural resources conservation projects* to be carried out under this title, the Secretary shall give preference to those projects which—

- (1) will provide long-term benefits to the public;
- (2) [will instill in the enrollee involved a work ethic and a sense of public service;] *will instill in Corps participants a work ethic and a sense of public service;*

* * * * *

[(f)] (g) CONSISTENCY.—Each [appropriate conservation project] *appropriate natural and cultural resources conservation project* carried out under this title [on eligible service lands] shall be consistent with the provisions of law and policies relating to the management and administration of such lands, with all other applicable provisions of law, and with all management, operational, and other plans and documents which govern the administration of the area.

(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.*

SEC. 205. [CONSERVATION] *RESIDENTIAL CONSERVATION CENTERS AND PROGRAM SUPPORT.*

(a) ESTABLISHMENT AND USE.—

[(1)] IN GENERAL.—The Secretary may establish and use conservation centers owned and operated by the Secretary for—

[(A)] use by the Public Lands Service Corps; and

[(B)] the conduct of appropriate natural and cultural resources conservation projects under this title.

[(2)] ASSISTANCE FOR CONSERVATION CENTERS.—The Secretary may provide to a residential conservation center established under paragraph (1) any services, facilities, equipment, and supplies that the Secretary determines to be necessary for the residential conservation center.]

(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.

[(3)] (2) STANDARDS FOR *RESIDENTIAL CONSERVATION CENTERS.*—The Secretary shall—

(A) establish basic standards of health, nutrition, sanitation, and safety for all *residential* conservation centers established under paragraph (1); and

* * * * *

[(4)] (3) MANAGEMENT.—As the Secretary determines to be appropriate, the Secretary may enter into a contract or other appropriate arrangement [with a State or] *a cooperative agreement with another Federal, State, or local government agency or private organization to provide for the management of a [conservation center] residential conservation center.*

(b) LOGISTICAL SUPPORT.—[The Secretary]

(1) *The Secretary may make arrangements with the Secretary of Defense to have logistical support provided by the Armed Forces to the Corps and any [conservation center] residential conservation center established under this section, where feasible. Logistical support may include the provision of temporary tent shelters where needed, transportation, and residential supervision.*

(2) *The Secretary may make arrangements with other Federal agencies, States, local 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.*

* * * * *

(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.*

[(d)] (g) *ASSISTANCE.—The Secretary may provide any services, facilities, equipment, supplies, technical assistance, oversight, monitoring, or evaluations that [are appropriate to carry out this title] the Secretary determines to be necessary for the residential conservation center.*

SEC. 206. RESOURCE ASSISTANTS AND CONSULTING INTERNS.

(a) *AUTHORIZATION.—[The Secretary is authorized to provide individual placements of resource] The Secretary is authorized, to provide individual placements of the following:*

(1) *Resource assistants with any Federal land managing agency under the jurisdiction of the Secretary to carry out research or resource protection activities on behalf of the agency. To be eligible for selection as a resource assistant, an individual must be at least 17 years of age. The Secretary may select resource assistants without regard to the civil service and classification laws, rules, or regulations of the United States. The Secretary shall give a preference to the selection of individuals who are enrolled in an institution of higher education or are recent graduates from an institution of higher education, with particular attention given to ensure full representation of*

women and participants from historically black, Hispanic, and Native American schools.

(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.*

(b) **USE OF EXISTING NONPROFIT ORGANIZATIONS.**—Whenever one or more existing nonprofit organizations can provide, in the judgment of the the Secretary, appropriate recruitment and placement services to fulfill the requirements of this section, the Secretary may implement this section through such existing organizations. Participating nonprofit organizations shall contribute to the expenses of providing and supporting the resource assistants, or *consulting interns* through private sources of funding, at a level equal to 25 percent of the total costs of each participant in the Resource Assistant program who has been recruited and placed through that organization; *up to 15 percent may be in-kind.* Any such participating nonprofit conservation service organization shall be required, by the respective land managing agency, to submit an annual report evaluating the scope, size, and quality of the program, including the value of work contributed by the [Resource Assistants] *resource assistants or consulting interns*, to the mission of the agency.

(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.*

SEC. 207. GUIDANCE.

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.

SEC. [207.] 208. LIVING ALLOWANCES AND TERMS OF SERVICE.

[(a) **LIVING ALLOWANCES.**—The Secretary shall provide each participant in the Public Lands Service Corps and each resource assistant with a living allowance in an amount established by the Secretary.]

(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.*

(b) **TERMS OF SERVICE.**—[Each participant in the Corps and each resource assistant shall agree to participate in the Corps or serve

as a resource assistant, as the case may be, for such term of service as may be established by the Secretary enrolling or selecting the individual.】 *Each Corps 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.*

(c) **HIRING PREFERENCE AND FUTURE EMPLOYMENT.**—The Secretary may—

【(1) grant to a member of the Public Lands Service Corps credit for time served with the Public Lands Service Corps, which may be used toward future Federal hiring; and

【(2) provide to a former member of the Public Lands Service Corps noncompetitive hiring status for a period of not more than 120 days after the date on which the member's service with the Public Lands Service Corps is complete.】

(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;

(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 noncompetitive 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 noncompetitive 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.

SEC. [208.] 209. NATIONAL SERVICE EDUCATIONAL AWARDS.

(a) **EDUCATIONAL BENEFITS AND AWARDS.**—【If a participant in the Public Lands Corps or a resource assistant also serves in an approved national service position designated under subtitle C of title I of the National and Community Service Act of 1990, the participant or resource assistant shall be eligible】 *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 for a national service educational award in the manner prescribed in subtitle D of such title upon successfully complying with the requirements for the award. The period during which the national service educational award may be used, the purposes for which the award may be used, and the amount of the award shall be determined as provided under such subtitle.

(b) FORBEARANCE IN THE COLLECTION OF STAFFORD LOANS.—For purposes of section 428 of the Higher Education Act of 1965, in the case of borrowers who are [either participants in the Corps or resource assistants] *participants in the Corps*, upon written request, a lender shall grant a borrower forbearance on such terms as are otherwise consistent with the regulations of the Secretary of Education, during periods in which the borrower is serving as such a participant [or a resource assistant].

[SEC. 209. NONDISPLACEMENT.

[The nondisplacement requirements of section 177 of the National and Community Service Act of 1990 shall be applicable to all activities carried out by the Public Lands Service Corps, to all activities carried out under this title by a qualified youth or conservation corps, and to the selection and service of resource assistants.]

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.

SEC. [210.] 211. FUNDING.

(a) COST SHARING.—

(1) PROJECTS BY QUALIFIED YOUTH OR CONSERVATION CORPS.—The Secretary is authorized to pay not more than 75 percent of the costs of any [appropriate conservation project] *appropriate natural and cultural resources conservation project* carried out pursuant to this title on public lands by a qualified youth or conservation corps. The remaining 25 percent of the costs of such a project may be provided from nonfederal sources in the form of funds, services, facilities, materials, equipment, or any combination of the foregoing. No cost sharing shall be required in the case of any [appropriate conservation project] *appropriate natural and cultural resources conservation project* carried out on Indian lands or Hawaiian home lands under this title. *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.*

(2) [PUBLIC LANDS CORPS] *PUBLIC LANDS SERVICE CORPS* PROJECTS.—The Secretary is authorized to accept donations of funds, services, facilities, materials, or equipment for the purposes of operating the [Public Lands Corps] *Public Lands Service Corps* and carrying out [appropriate conservation projects] *appropriate natural and cultural resources conservation projects* by the Corps. However, nothing in this title shall be construed to require any cost sharing for any project carried out directly by the Corps.

(b) FUNDS AVAILABLE UNDER NATIONAL AND COMMUNITY SERVICE ACT.—In order to carry out the [Public Lands Corps] *Public Lands Service Corps program* or to support resource assistants, *consulting interns* and qualified youth or conservation corps under this title, the Secretary shall be eligible to apply for and receive assistance under section 121(b) of the National and Community Service Act of 1990.

(c) OTHER FUNDS.—Amounts appropriated pursuant to the authorization of appropriations under section 211 are in addition to amounts allocated to the [Public Lands Corps] *Public Lands Service Corps* through other Federal programs or projects.

SEC. [211.] 212. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated [to carry out this title \$12,000,000 for each fiscal year, of which \$8,000,000 is authorized to carry out priority projects and \$4,000,000 of which is authorized to carry out other appropriate conservation projects.] *to the Secretary such sums as may be necessary to carry out this title.*

[(b) DISASTER RELIEF OR PREVENTION PROJECTS.—Notwithstanding subsection (a), any amounts made available under that subsection shall be available for disaster prevention or relief projects.]

[(c) (b) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law, amounts appropriated for any fiscal year to carry out this title shall remain available for obligation and expenditure until the end of the fiscal year following the fiscal year for which the amounts are appropriated.]

ADDITIONAL VIEWS

H.R. 1612 expands the ability of the Secretary of the Interior to recruit young people and improve living conditions for the participants in the program. We support the goals of this program and want to encourage public participation in the care of America's vast expanse of public lands. Many facilities on our public lands are in need of improvement and a job corps program, if wisely managed, can be a cost-effective way of restoring public lands for the use and enjoyment of all Americans.

However, despite efforts made at full committee markup and agreements on several points of conflict with the Majority, we remain concerned that this legislation backtracks on previous commitments in this program to address deteriorating conditions in our forests by committing at least half of the funds to projects under the Healthy Forest Restoration Act of 2003 (HFRA).

As this Public Lands Job Corps program is currently devised, it places the highest priority on helping to create a new generation of land managers who would have the training and proper understanding of how to prevent catastrophic wildfires. It was understood that the best way of doing this was using this program to help implement the Healthy Forest Restoration Act. HFRA was passed with bipartisan support, including support from Democrats who are sitting on this Committee today, and five current Chairmen. Unfortunately, this legislation strips out any reference to HFRA in this Act. This is harmful to forest health, unfair to the timber dependent communities that have been hurt by unwise federal policies and dangerous to our federal land neighbors now exposed to increased fire danger.

We are also deeply concerned that the recent CBO scoring of this bill estimates that implementing the legislation would cost \$120 million over the 2010–2014 period—a huge increase over current spending levels and the President's requested amount.

Mr. Bishop offered an amendment that would have made wildfire prevention a priority by putting back in a reference to HFRA and set at a minimum of 50% of the funding to go to promotion of the health of our public lands. This is a step, admittedly a small one, in the right direction when it comes to fighting catastrophic wildfires. Unfortunately, this thoughtful amendment was defeated by the Majority, and the legislation moves to the House of Representatives without appropriate requirements to steer funds to where they are critically needed.

We hope that with a thorough debate, under an open rule on the Floor, we will be able to remedy this flaw and send an improved bill to the Senate.

DOC HASTINGS.
ROB BISHOP.

