

woody plants, and standing live or dead trees which do not meet utilization standards because of size, species, merchantable volume, or economic selection criteria and which, in the case of live trees, are surplus to growing stock needs.

(Pub. L. 96-554, § 7, Dec. 19, 1980, 94 Stat. 3258.)

EFFECTIVE DATE

Section effective Oct. 1, 1981, see section 9 of Pub. L. 96-554, set out as a note under section 1681 of this title.

§ 1687. Authorization of appropriations

There is hereby authorized to be appropriated not to exceed \$25,000,000 for each of the fiscal years 1982, 1983, 1984, 1985, and 1986 to carry out the pilot projects and demonstrations authorized by section 1682 of this title, the residue removal credits authorized by section 1683 of this title, and the other provisions of this subchapter: *Provided*, That not to exceed \$2,500,000 of such amount may be appropriated for administrative expenses to carry out this subchapter for the period beginning October 1, 1981, and ending September 30, 1986. Such sums shall be in addition to those provided under other provisions of law and shall remain available until expended.

(Pub. L. 96-554, § 8, Dec. 19, 1980, 94 Stat. 3259.)

EFFECTIVE DATE

Section effective Oct. 1, 1981, see section 9 of Pub. L. 96-554, set out as a note under section 1681 of this title.

CHAPTER 37—YOUTH CONSERVATION CORPS AND PUBLIC LANDS CORPS

SUBCHAPTER I—YOUTH CONSERVATION CORPS

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SUBCHAPTER I—YOUTH CONSERVATION CORPS

§ 1701. Congressional declaration of policy and purpose

The Congress finds that the Youth Conservation Corps has demonstrated a high degree of success as a pilot program wherein American youth, representing all segments of society, have benefited by gainful employment in the healthful outdoor atmosphere of the national park system, the national forest system, other

public land and water areas of the United States and by their employment have developed, enhanced, and maintained the natural resources of the United States, and whereas in so doing the youth have gained an understanding and appreciation of the Nation's environment and heritage equal to one full academic year of study, it is accordingly the purpose of this subchapter to expand and make permanent the Youth Conservation Corps and thereby further the development and maintenance of the natural resources by America's youth, and in so doing to prepare them for the ultimate responsibility of maintaining and managing these resources for the American people.

(Pub. L. 91-378, title I, § 101, formerly § 1, Aug. 13, 1970, 84 Stat. 794; Pub. L. 92-597, Oct. 27, 1972, 86 Stat. 1319; Pub. L. 93-408, Sept. 3, 1974, 88 Stat. 1066; renumbered title I, § 101, and amended Pub. L. 103-82, title I, § 105(1)-(3), Sept. 21, 1993, 107 Stat. 848.)

AMENDMENTS

1993—Pub. L. 103-82, § 105(2), substituted “subchapter” for “chapter”.

1974—Pub. L. 93-408 substantially reenacted existing provisions and added finding that the Youth Conservation Corps program be expanded and made permanent in view of the success of the pilot program.

1972—Pub. L. 92-597 substituted “areas of the United States” for “areas administered by the Secretary of the Interior and the Secretary of Agriculture”.

EFFECTIVE DATE OF 1993 AMENDMENT

Pub. L. 103-82, title I, § 123, Sept. 21, 1993, 107 Stat. 867, provided that: “This title [see Tables for classification], and the amendments made by this title, shall take effect on October 1, 1993.”

SHORT TITLE OF 2005 AMENDMENT

Pub. L. 109-154, § 1, Dec. 30, 2005, 119 Stat. 2890, provided that: “This Act [enacting section 1730 of this title and amending sections 1722 to 1726 and 1729 of this title] may be cited as the ‘Public Lands Corps Healthy Forests Restoration Act of 2005’.”

SHORT TITLE

Pub. L. 91-378, title I, Aug. 13, 1970, 84 Stat. 794, which enacted this subchapter, is popularly known as the “Youth Conservation Corps Act of 1970”.

Pub. L. 91-378, title II, § 201, as added by Pub. L. 103-82, title I, § 105(6), Sept. 21, 1993, 107 Stat. 848, provided that: “This title [enacting subchapter II of this chapter] may be cited as the ‘Public Lands Corps Act of 1993’.”

§ 1702. Establishment

(a) Age of participants

To carry out the purposes of this subchapter, there is established in the Department of the Interior and the Department of Agriculture a Youth Conservation Corps (hereinafter in this subchapter referred to as the “Corps”). The Corps shall consist of young men and women who are permanent residents of the United States, its territories, possessions, trust territories, or Commonwealth of Puerto Rico who have attained age fifteen but have not attained age nineteen, and whom the Secretary of the Interior or the Secretary of Agriculture may employ without regard to the civil service or classification laws, rules, or regulations, for the purpose of developing, preserving, or maintaining the lands and waters of the United States.

(b) Equal employment opportunity and employment; term

The Corps shall be open to youth from all parts of the country of both sexes and youth of all social, economic, and racial classifications with all Corps members receiving compensation consistent with work accomplished, and with no person being employed as a member of the Corps for a term in excess of ninety days during any single year.

(Pub. L. 91-378, title I, §102, formerly §2, Aug. 13, 1970, 84 Stat. 795; Pub. L. 92-597, Oct. 27, 1972, 86 Stat. 1319; Pub. L. 93-408, Sept. 3, 1974, 88 Stat. 1066; renumbered title I, §102, and amended Pub. L. 103-82, title I, §105(1)-(4), Sept. 21, 1993, 107 Stat. 848.)

AMENDMENTS

1993—Subsec. (a). Pub. L. 103-82, §105(2), (4), substituted “subchapter” for “chapter” and inserted “in this subchapter” after “(hereinafter)”.

1974—Subsec. (a). Pub. L. 93-408 extended eligibility to permanent residents of Puerto Rico, removed the restriction that employment be in the summer months only, and substituted “waters of the United States” for “waters of the United States under his jurisdiction”.

Subsec. (b). Pub. L. 93-408 substituted “from all parts of the country of both sexes and youth of all social, economic, and racial classifications with all Corps members receiving compensation consistent with work accomplished, and with” for “of both sexes and youth of all social, economic, and racial classifications, with”.

1972—Subsec. (a). Pub. L. 92-597 substituted “established in the Department of the Interior and the Department of Agriculture a Youth Conservation” and “under his jurisdiction” for “hereby established in the Department of the Interior and the Department of Agriculture a three-year pilot program designated as the Youth Conservation” and “under the jurisdiction of the appropriate Secretary” respectively, and extended eligibility to permanent residents of trust territories.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-82 effective Oct. 1, 1993, see section 123 of Pub. L. 103-82, set out as a note under section 1701 of this title.

§ 1703. Duties and functions of Secretary of the Interior and Secretary of Agriculture

(a) Programs and projects; conditions of employment; regulations; use of facilities by educational institutions

In carrying out this subchapter, the Secretary of the Interior and the Secretary of Agriculture shall—

(1) determine the areas under their administrative jurisdictions which are appropriate for carrying out the programs using employees of the Corps;

(2) determine with other Federal agencies the areas under the administrative jurisdiction of these agencies which are appropriate for carrying out programs using members of the Corps, and determine and select appropriate work and education programs and projects for participation by members of the Corps;

(3) determine the rates of pay, hours, and other conditions of employment in the Corps, except that all members of the Corps shall not be deemed to be Federal employees other than

for the purpose of chapter 171 of title 28, and chapter 81 of title 5.¹

(4) provide for such transportation, lodging, subsistence, and other services and equipment as they may deem necessary or appropriate for the needs of members of the Corps in their duties;

(5) promulgate regulation² to insure the safety, health, and welfare of the Corps members; and

(6) provide to the extent possible, that permanent or semipermanent facilities used as Corps camps be made available to local schools, school districts, State junior colleges and universities, and other education institutions for use as environmental/ecological education camps during periods of nonuse by the Corps program.

Costs for operations maintenance, and staffing of Corps camp facilities during periods of use by non-Corps programs as well as any liability for personal injury or property damage stemming from such use shall be the responsibility of the entity or organization using the facility and shall not be a responsibility of the Secretaries or the Corps.

(b) Use of unoccupied Federal facilities and equipment

Existing but unoccupied Federal facilities and surplus or unused equipment (or both), of all types including military facilities and equipment, shall be utilized for the purposes of the Corps, where appropriate and with the approval of the Federal agency involved. To minimize transportation costs, Corps members shall be employed on conservation projects as near to their places of residence as is feasible.

(c) Contracts for the operation of projects

The Secretary of the Interior and the Secretary of Agriculture may contract with any public agency or organization or any private nonprofit agency or organization which has been in existence for at least five years for the operation of any Youth Conservation Corps project.

(Pub. L. 91-378, title I, §103, formerly §3, Aug. 13, 1970, 84 Stat. 795; Pub. L. 92-597, Oct. 27, 1972, 86 Stat. 1319; Pub. L. 93-408, Sept. 3, 1974, 88 Stat. 1067; renumbered title I, §103, and amended Pub. L. 103-82, title I, §105(1)-(3), Sept. 21, 1993, 107 Stat. 848.)

AMENDMENTS

1993—Subsec. (a). Pub. L. 103-82, §105(2), substituted “subchapter” for “chapter” in introductory provisions.

1974—Pub. L. 93-408 reenacted existing provisions with minor changes.

1972—Pub. L. 92-597 substantially reenacted existing provisions and inserted provisions requiring the Secretary of the Interior and the Secretary of Agriculture to determine and select appropriate work and education programs and projects for participation by members of the Corps and to provide that permanent or semipermanent facilities used as Corps camps be made available to local schools, school districts, and such other institutions for use as environmental education camps during periods of nonuse by the Corps program, that the costs of operation, maintenance, and staffing

¹ So in original. The period probably should be a semicolon.

² So in original. Probably should be “regulations”.

of Corps camp facilities during periods of use by non-Corps programs and liabilities arising from such use shall be the responsibility of the organization using the facility and, struck out provisions requiring preparation and submission to the President of a report not later than Aug. 13, 1971, for transmittal to the Congress for review and appropriate action, and that the provisions of Title II of the Revenue and Expenditure Control Act of 1968 shall not apply to appointments made to the Corps, to temporary supervisory personnel, or to temporary program support staff.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-82 effective Oct. 1, 1993, see section 123 of Pub. L. 103-82, set out as a note under section 1701 of this title.

§ 1704. Grants to States

(a) Projects for preservation of non-Federal public lands and waters; "States" defined

The Secretary of the Interior and the Secretary of Agriculture shall jointly establish a program under which grants shall be made to States to assist them in meeting the cost of projects for the employment of young men and women to develop, preserve, and maintain non-Federal public lands and waters within the States. For purposes of this section, the term "States" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa.

(b) Application requirements for grants; approval by Secretaries

(1) No grant may be made under this section unless an application therefor has been submitted to, and approved by, the Secretary of the Interior and the Secretary of Agriculture. Such application shall be in such form, and submitted in such manner, as the Secretaries shall jointly by regulation prescribe, and shall contain—

(A) assurances satisfactory to the Secretaries that individuals employed under the project for which the application is submitted shall (i) have attained the age of fifteen but not attained the age of nineteen, (ii) be permanent residents of the United States or its territories, possessions, or the Trust Territory of the Pacific Islands, (iii) be employed without regard to the personnel laws, rules, and regulations applicable to full-time employees of the applicant, (iv) be employed for a period of not more than ninety days in any calendar year, and (v) be employed without regard to their sex or social, economic, or racial classification; and

(B) such other information as the Secretaries may jointly by regulation prescribe.

(2) The Secretaries may approve applications which they determine (A) to meet the requirements of paragraph (1), and (B) are for projects which will further the development, preservation, or maintenance of non-Federal public lands or waters within the jurisdiction of the applicant.

(c) Limitation on the amount of grant

(1) The amount of any grant under this section shall be determined jointly by the Secretaries, except that no grant for any project may exceed 80 per centum of the cost (as determined by the Secretaries) of such project.

(2) Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretaries find necessary.

(d) Appropriation percentage

Thirty per centum of the sums appropriated under section 1706 of this title for any fiscal year shall be made available for grants under this section for such fiscal year.

(Pub. L. 91-378, title I, § 104, formerly § 4, Aug. 13, 1970, 84 Stat. 796; Pub. L. 92-597, Oct. 27, 1972, 86 Stat. 1320; Pub. L. 93-408, Sept. 3, 1974, 88 Stat. 1067; renumbered title I, § 104, and amended Pub. L. 103-82, title I, § 105(1), (3), (5), Sept. 21, 1993, 107 Stat. 848.)

AMENDMENTS

1993—Subsec. (d). Pub. L. 103-82, § 105(5), made technical amendment to reference to section 1706 of this title to reflect renumbering of corresponding section of original act.

1974—Subsec. (a). Pub. L. 93-408 substituted "jointly establish a program" for "jointly establish a pilot grant program".

1972—Pub. L. 92-579 substituted provisions relating to pilot grant program for State projects for provisions relating to Secretarial reports.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-82 effective Oct. 1, 1993, see section 123 of Pub. L. 103-82, set out as a note under section 1701 of this title.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

§ 1705. Repealed. Pub. L. 104-333, div. I, title VIII, § 814(d)(1)(N), Nov. 12, 1996, 110 Stat. 4196

Section, Pub. L. 91-378, title I, § 105, formerly § 5, Aug. 13, 1970, 84 Stat. 796; Pub. L. 92-597, Oct. 27, 1972, 86 Stat. 1321; Pub. L. 93-408, Sept. 3, 1974, 88 Stat. 1068; renumbered title I, § 105, and amended Pub. L. 103-82, title I, § 105(1)-(3), Sept. 21, 1993, 107 Stat. 848, directed Secretaries of the Interior and Agriculture to annually prepare joint report detailing activities carried out under this subchapter to President and Congress.

§ 1706. Authorization of appropriations

There are authorized to be appropriated amounts not to exceed \$60,000,000 for each fiscal year, which amounts shall be made available to the Secretary of the Interior and the Secretary of Agriculture to carry out the purposes of this subchapter. Notwithstanding any other provision of law, funds appropriated for any fiscal year to carry out this subchapter shall remain available for obligation and expenditure until the end of the fiscal year following the fiscal year for which appropriated.

(Pub. L. 91-378, title I, § 106, formerly § 6, as added Pub. L. 92-597, Oct. 27, 1972, 86 Stat. 1321; amended Pub. L. 93-408, Sept. 3, 1974, 88 Stat. 1068; renumbered title I, § 106, and amended Pub. L. 103-82, title I, § 105(1)-(3), Sept. 21, 1993, 107 Stat. 848.)

AMENDMENTS

1993—Pub. L. 103-82, § 105(2), substituted "subchapter" for "chapter" in two places.

1974—Pub. L. 93-408 substituted authorization of appropriation of amount not exceeding \$60,000,000 for each fiscal year for authorization of appropriation of amounts not exceeding \$30,000,000 for fiscal year ending June 30, 1973 and \$60,000,000 for fiscal year ending June 30, 1974.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-82 effective Oct. 1, 1993, see section 123 of Pub. L. 103-82, set out as a note under section 1701 of this title.

SUBCHAPTER II—PUBLIC LANDS CORPS

§ 1721. 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 can benefit those men and women by providing them with education and work opportunities, furthering their understanding and appreciation of the 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) Many facilities and natural 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) 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.

(b) Purpose

It is the purpose of this subchapter to—

(1) perform, in a cost-effective manner, appropriate 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.

(Pub. L. 91-378, title II, §202, as added Pub. L. 103-82, title I, §105(6), Sept. 21, 1993, 107 Stat. 848.)

EFFECTIVE DATE

Section effective Oct. 1, 1993, see section 123 of Pub. L. 103-82, set out as an Effective Date of 1993 Amendment note under section 1701 of this title.

SHORT TITLE

For short title of title II of Pub. L. 91-378, as added by Pub. L. 103-82, title I, §105(6), Sept. 21, 1993, 107 Stat. 848, as the "Public Lands Corps Act of 1993", see Short Title note set out under section 1701 of this title.

§ 1722. Definitions

For purposes of this subchapter:

(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 1723 of this title.

(3) Eligible service lands

The term "eligible service lands" means public lands, Indian lands, and Hawaiian home lands.

(4) 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) Indian

The term "Indian" means a person who—

(A) is a member of an Indian tribe; or

(B) is a "Native", as defined in section 3(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(b)).

(6) Indian lands

The term "Indian lands" means—

(A) any Indian reservation;

(B) any public domain Indian allotments;

(C) any former Indian reservation in the State of Oklahoma;

(D) any land held by incorporated Native groups, regional corporations, and village corporations under the Alaska Native Claims Settlement Act [43 U.S.C. 1601 et seq.]; and

(E) any land held by dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a State.

(7) 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,