

111TH CONGRESS
2^D SESSION

H. R. 5631

To establish the Gulf Coast Conservation Corps under the direction of the President in order to create jobs cleaning up the oil spill and restoring the Gulf of Mexico and surrounding areas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 2010

Mr. HASTINGS of Florida (for himself, Mr. MEEK of Florida, and Mr. JOHNSON of Georgia) introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the Gulf Coast Conservation Corps under the direction of the President in order to create jobs cleaning up the oil spill and restoring the Gulf of Mexico and surrounding areas, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Gulf Coast Conserva-
5 tion Corps Act of 2010”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) On April 20, 2010, the mobile offshore drill-
4 ing unit Deepwater Horizon, operated by BP, P.L.C.
5 (in this Act referred to as “BP”), exploded and
6 sank, triggering the oil spill that is the worst envi-
7 ronmental disaster in the history of the United
8 States.

9 (2) Since then, BP has been unsuccessful in
10 stemming the discharge of oil into the Gulf of Mex-
11 ico, currently estimated at a rate of up to 60,000
12 barrels of oil per day.

13 (3) Many who live in the area of the Gulf of
14 Mexico are dependent on the Gulf for their liveli-
15 hoods.

16 (4) The fishing industry, including seafood
17 processing and related wholesale and retail busi-
18 nesses, supports over 200,000 jobs with related eco-
19 nomic activity of \$5,500,000,000.

20 (5) As of May 25, 2010, commercial and rec-
21 reational fishing were prohibited within a 54,096
22 square-mile area, approximately 22 percent of Fed-
23 eral waters of the Gulf Exclusive Economic Zone.

24 (6) The tourist industry contributed 620,000
25 jobs and over \$9,000,000,000 in wages to the Gulf
26 region.

1 (7) The oil spill will require a dedicated and
2 trained workforce working over an extended period
3 of time to clean up and restore the damage.

4 (8) Contracts and cooperative agreements be-
5 tween Federal agencies and State and local govern-
6 ments and other entities empower communities and
7 are cost-effective tools that provide positive social
8 and environmental benefits. The use of such con-
9 tracts and agreements should be encouraged as a
10 means to rehabilitate public land affected or altered
11 by the BP oil spill, and enhance and maintain envi-
12 ronmentally important land and water.

13 (9) Joint collaborations between the Federal
14 agencies, private businesses, and local, State, and
15 Federal service and conservation corps are particu-
16 larly beneficial, as the collaborations provide the op-
17 portunity to prepare for productive lives while en-
18 gaged in meaningful and educational public service
19 opportunities, and the public with cost-saving human
20 resources to assist in conserving, maintaining, and
21 protecting public land.

22 **SEC. 3. PURPOSES.**

23 The purposes of this Act are—

24 (1) to create a Gulf Coast Conservation Corps
25 to perform rehabilitation and enhancement projects

1 in any area of the Gulf of Mexico affected by the oil
2 discharged as a result of the explosion on and sink-
3 ing of the mobile offshore drilling unit Deepwater
4 Horizon by creating a workforce to collect the oil
5 discharged, and restore affected wildlife and dam-
6 aged ecosystems, in such areas;

7 (2) to create jobs in the Gulf of Mexico region
8 that offer unemployed individuals a chance to obtain
9 skills and experience so that they are better
10 equipped to gain productive employment related to
11 environmental restoration; and

12 (3) to provide such individuals the opportunity
13 to serve their communities and the Country.

14 **SEC. 4. GULF COAST CONSERVATION CORPS.**

15 (a) ESTABLISHMENT.—There is established the Gulf
16 Coast Conservation Corps (in this Act referred to as the
17 “Corps”), which shall be administered by the President
18 and shall carry out rehabilitation and enhancement
19 projects described in subsection (b).

20 (b) REHABILITATION AND ENHANCEMENT
21 PROJECTS.—The President, through the Corps, shall hire
22 individuals that meet the requirements described in sub-
23 section (c) to carry out rehabilitation and enhancement
24 projects involving the construction, maintenance, cleaning,
25 and restoration (including the restoration of wildlife and

1 plantlife) in any area of the Gulf of Mexico affected by
2 the oil discharged as a result of the explosion on and sink-
3 ing of the mobile offshore drilling unit Deepwater Horizon.

4 (c) PARTICIPANTS.—

5 (1) IN GENERAL.—To be selected as a partici-
6 pant in the Corps, an individual—

7 (A) shall be otherwise unemployed;

8 (B) shall be a citizen or legal permanent
9 resident of the United States;

10 (C) shall be physically capable of per-
11 forming the work required by the specific
12 project, subject to any reasonable accommoda-
13 tions that may be made for such individual in
14 accordance with the Americans with Disabilities
15 Act; and

16 (D) shall not be enrolled as a full-time stu-
17 dent in any institution of higher education, vo-
18 cational or job training school or program and
19 may not prematurely terminate such enrollment
20 to obtain employment under this Act.

21 (2) NO DISPLACEMENT OF EXISTING EMPLOY-
22 EES OR POSITIONS OF PERMANENT EMPLOYMENT.—
23 Individuals participating in the Corps whose posi-
24 tions are funded under this Act may not displace

1 other employees whose positions are not funded
2 under this Act.

3 (3) COMPENSATION.—Individuals participating
4 in the Corps shall be compensated at the same rates,
5 including periodic increases, as employees who are
6 similarly situated in similar occupations and who
7 have similar training, experience, and skills, and
8 such rates shall be in accordance with applicable
9 law, but in no event less than the higher of the rate
10 specified in section 6(a)(1) of the Fair Labor Stand-
11 ards Act of 1938 (29 U.S.C. 206(a)(1)) or the appli-
12 cable State or local minimum wage law.

13 (4) NOT FEDERAL EMPLOYEES.—Individuals
14 participating in the Corps shall not be considered
15 employees of the Federal Government.

16 (d) AUTHORIZED USES OF FUNDS.—In admin-
17 istering the Corps, the President may carry out the fol-
18 lowing:

19 (1) Enter into a contract or cooperative agree-
20 ment with—

21 (A) any local, State, or Federal service or
22 conservation corps, including a service or con-
23 servation corps carried out by the Corporation
24 for National and Community Service under the
25 national service laws;

1 (B) a department of natural resources, ag-
2 riculture, or marine (or an equivalent depart-
3 ment) of any State; or

4 (C) a nongovernmental or private organiza-
5 tion; or

6 (D) any other agency or organization that
7 may assist the President in administering the
8 Corps.

9 (2) Provide the Corps with technical assistance,
10 administrative support, and assistance in training
11 participants.

12 (3) Monitor and evaluate the Corps to ensure
13 that the Corps is in compliance with the require-
14 ments of this Act.

15 (4) Consult with international authorities on
16 the best methods and practices for carrying out the
17 projects described in subsection (b).

18 (5) Carry out research and development activi-
19 ties to determine the best methods and practices for
20 carrying out the projects described in subsection (b).

21 **SEC. 5. FUNDING FROM OIL SPILL LIABILITY TRUST FUND.**

22 The cost of carrying out this Act shall be treated as
23 removal costs for purposes of the Oil Pollution Act of 1990
24 (33 U.S.C. 2701 et seq.), including section 1012 of that

1 Act (33 U.S.C. 2712; relating to the use of amounts in
2 the Oil Spill Liability Trust Fund).

3 **SEC. 6. DEFINITIONS.**

4 In this Act:

5 (1) IN GENERAL.—The terms “discharge”;
6 “oil”; and “removal” have the meanings given the
7 terms in section 1001 of the Oil Pollution Act of
8 1990 (33 U.S.C. 2701).

9 (2) INSTITUTION OF HIGHER EDUCATION.—The
10 term “institution of higher education” has the
11 meaning given the term in section 101(a) of the
12 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

13 (3) NATIONAL SERVICE LAWS.—The term “na-
14 tional service laws” has the meaning given the term
15 in section 101 of the National and Community Serv-
16 ice Act of 1990 (42 U.S.C. 12511).

17 (4) STATE.—The term “State” means each of
18 the several States of the United States, the District
19 of Columbia, and the Commonwealth of Puerto Rico.

20 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

21 There are authorized to be appropriated to carry out
22 this Act \$15,000,000 for each of fiscal years 2011 and
23 2012.

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