

116TH CONGRESS
2D SESSION

S. 4538

To establish a Restore Employment in Natural and Environmental Work Conservation Corps in the Department of the Interior and the Department of Agriculture, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 8, 2020

Mr. DURBIN introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To establish a Restore Employment in Natural and Environmental Work Conservation Corps in the Department of the Interior and the Department of Agriculture, 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 “Restore Employment
5 in Natural and Environmental Work Conservation Corps
6 Act” or the “RENEW Conservation Corps Act”.

7 **SEC. 2. FINDINGS AND PURPOSES.**

8 (a) FINDINGS.—Congress finds that—

1 (1) as a result of the Coronavirus Disease 2019
2 (COVID–19) pandemic, more than 40,000,000 peo-
3 ple in the United States have filed claims for unem-
4 ployment benefits since March 2020, which is a level
5 of unemployment not seen since the Great Depres-
6 sion;

7 (2) investments in fish, wildlife, and habitat
8 restoration and outdoor recreation infrastructure
9 generate as many as 33 jobs per \$1,000,000 in-
10 vested, as demonstrated by the American Recovery
11 and Reinvestment Act of 2009 (Public Law 111–5;
12 123 Stat. 115);

13 (3) the outdoor recreation economy—

14 (A) generates \$887,000,000,000 in eco-
15 nomic activity each year, which is 2.2 percent
16 of the gross domestic product of the United
17 States, according to the Bureau of Economic
18 Analysis; and

19 (B) was 1 of the fastest growing sectors of
20 the United States economy before the
21 Coronavirus Disease 2019 (COVID–19) pan-
22 demic;

23 (4) the Federal Government and State and local
24 governments and agencies have many “shovel-ready”
25 projects and green infrastructure maintenance back-

1 log projects that would improve the quality of life,
2 outdoor experiences, and access to outdoor recre-
3 ation opportunities of people of the United States on
4 completion of the projects;

5 (5) many facilities and natural resources lo-
6 cated on dedicated conservation land are in disrepair
7 or degraded and in need of labor-intensive rehabili-
8 tation, restoration, and enhancement work that can-
9 not be carried out at existing staffing levels;

10 (6) enhancing and maintaining environmentally
11 and recreationally important land and waters
12 through the participation of unemployed individuals
13 in the United States in a conservation corps could—

14 (A) provide critical employment, education,
15 and skill development opportunities to the indi-
16 viduals;

17 (B) prepare the individuals for permanent
18 jobs in the conservation field; and

19 (C) benefit the economy and environment
20 of the United States; and

21 (7) existing networks of conservation corps are
22 in place but need additional resources in order to
23 scale up the activities of the conservation corps to
24 meet growing deferred maintenance needs on public
25 land.

1 (b) PURPOSES.—The purposes of this Act are—

2 (1) to employ, during the 5-year period begin-
3 ning on the date of enactment of this Act, a total
4 of 1,000,000 people in the United States in dedi-
5 cated conservation land projects to support the
6 growing backlog of deferred conservation land
7 projects;

8 (2) to expose Participants to public service
9 while furthering the understanding and appreciation
10 of the Participants of the natural and cultural re-
11 sources of the United States;

12 (3) to stimulate interest among Participants in
13 conservation careers by exposing the Participants to
14 conservation professionals in land management
15 agencies; and

16 (4) to build on the existing network of con-
17 servation corps organizations working across the
18 United States while providing for expanded partici-
19 pation in urban centers.

20 **SEC. 3. DEFINITIONS.**

21 In this Act:

22 (1) CORPS.—The term “Corps” means the Re-
23 store Employment in Natural and Environmental
24 Work Conservation Corps established by section
25 4(a).

1 (2) COUNCIL.—The term “Council” means the
2 National Council on the Restore Employment in
3 Natural and Environmental Work Conservation
4 Corps established under section 6(a).

5 (3) ELIGIBLE LOCAL AGENCY.—The term “eli-
6 gible local agency” means a unit of local govern-
7 ment, land trust, or similar conservation nonprofit
8 organization.

9 (4) ELIGIBLE PARTICIPANT.—The term “eligi-
10 ble participant” means an individual who—

11 (A) is 16 years of age or older at the time
12 the individual begins the term of service as a
13 Participant; and

14 (B) is a citizen or national of the United
15 States or lawful permanent resident alien of the
16 United States.

17 (5) ELIGIBLE PROJECT.—The term “eligible
18 project” means any of the following:

19 (A) A project to plant trees.

20 (B) A project for the restoration and man-
21 agement of wildlife habitat.

22 (C) A project to control invasive species.

23 (D) A project for the conduct of prescribed
24 burns.

1 (E) A project for the restoration of
2 streams, wetlands, and other aquatic eco-
3 systems.

4 (F) A project to monitor water quality in
5 streams and lakes.

6 (G) A project to assist with the conduct of
7 fish and wildlife surveys.

8 (H) A project for the construction or main-
9 tenance of trails, bridges, campgrounds, picnic
10 shelters, or other recreational amenities for use
11 by the public.

12 (I) A project for the construction or main-
13 tenance of parks and playgrounds.

14 (J) A project to restore brownfield sites
15 (as defined in section 101 of the Comprehensive
16 Environmental Response, Compensation, and
17 Liability Act of 1980 (42 U.S.C. 9601)) in
18 urban areas.

19 (K) A project to construct rain gardens,
20 grass waterways, pollinator gardens, or green
21 schoolyards.

22 (L) A project for the development of urban
23 gardens and farms.

24 (M) A project to plant native grasslands.

1 (N) A project to provide environmental in-
 2 terpretation or outdoor education.

3 (O) Any other project determined to be ap-
 4 propriate by the Secretaries.

5 (6) INDIAN TRIBE.—The term “Indian Tribe”
 6 has the meaning given the term “Indian tribe” in
 7 section 4 of the Indian Self-Determination and Edu-
 8 cation Assistance Act (25 U.S.C. 5304).

9 (7) PARTICIPANT.—The term “Participant”
 10 means an eligible participant enrolled in the Corps.

11 (8) PROGRAM PARTNER.—The term “Program
 12 partner” means—

13 (A) a State or Indian Tribe administering
 14 a program for eligible projects or a grant pro-
 15 gram under subsection (a) or (b) of section 5,
 16 as applicable; and

17 (B) an eligible local agency carrying out el-
 18 igible projects under section 5(a)(3)(B).

19 (9) SECRETARIES.—The term “Secretaries”
 20 means the Secretary of Agriculture and the Sec-
 21 retary of the Interior, acting jointly.

22 (10) STATE.—The term “State” means each of
 23 the several States, the District of Columbia, the
 24 Commonwealth of Puerto Rico, and any other terri-
 25 tory or possession of the United States.

1 **SEC. 4. RESTORE EMPLOYMENT IN NATURAL AND ENVI-**
2 **RONMENTAL WORK CONSERVATION CORPS.**

3 (a) ESTABLISHMENT.—There is established in the
4 Department of the Interior and the Department of Agri-
5 culture the Restore Employment in Natural and Environ-
6 mental Work Conservation Corps program under which
7 Participants shall carry out—

8 (1) eligible projects administered by the Secre-
9 taries under this section; and

10 (2) eligible projects administered by Program
11 partners under subsection (a) or (b) of section 5.

12 (b) PARTICIPANTS.—

13 (1) IN GENERAL.—The Corps shall consist of—

14 (A) eligible participants who are enrolled
15 in the Corps by the Secretaries; and

16 (B) eligible participants who are enrolled
17 in the Corps by Program partners.

18 (2) REQUIREMENT.—In enrolling eligible par-
19 ticipants in the Corps under paragraph (1), the Sec-
20 retaries and Program partners shall ensure that
21 Participants reflect the demographics of the area in
22 which the Participants are carrying out an eligible
23 project.

24 (c) TERMS AND COMPENSATION.—

25 (1) TERM.—Participants shall serve for a term
26 of at least 12 weeks, but not more than 1 year.

1 (2) COMPENSATION.—

2 (A) WAGES.—Participants shall be com-
3 pensated at a wage rate that is appropriate for
4 the type of work performed by the Participant,
5 but not less than \$15 per hour (to be increased
6 each year based on increases in the Consumer
7 Price Index for the year).

8 (B) EDUCATIONAL ASSISTANCE.—If a Par-
9 ticipant completes at least 1 year of service in
10 the Corps, Participants shall be eligible for—

11 (i) an educational credit that may be
12 applied toward a program of postsecondary
13 education at an institution of higher edu-
14 cation that agrees to award the credit for
15 participation in the Corps; and

16 (ii) not more than \$5,500 in tuition
17 assistance to the Participant for purposes
18 of continuing education.

19 (d) TRAINING; APPRENTICESHIPS.—The Secretaries
20 and Program partners shall—

21 (1) ensure that Participants are provided at
22 least 2 weeks of training during each term of the ap-
23 plicable Participant; and

24 (2) provide curricula to Participants that im-
25 prove the future job prospects of Participants, in-

1 cluding through making available to Participants
 2 registered apprenticeships and other professional li-
 3 censes or certifications.

4 **SEC. 5. STATE, TRIBAL, AND LOCAL FUNDING PROGRAM**
 5 **FOR ELIGIBLE PROJECTS.**

6 (a) APPORTIONMENT TO STATES.—

7 (1) IN GENERAL.—For each fiscal year, subject
 8 to paragraphs (2) and (3), of the amounts made
 9 available for apportionment to the States for that
 10 fiscal year under section 7(2), the Secretaries shall
 11 apportion—

12 (A) $66\frac{2}{3}$ percent among States based on
 13 the proportion that—

14 (i) the number of unemployed individ-
 15 uals in each State, as determined based on
 16 the most recent data available; bears to

17 (ii) the total number of unemployed
 18 individuals in all States as so determined;
 19 and

20 (B) $33\frac{1}{3}$ percent among States based on
 21 the proportion that—

22 (i) the population of each State; bears
 23 to

24 (ii) the population of all States.

1 (2) MINIMUM APPORTIONMENT.—No State
2 shall receive an apportionment under paragraph (1)
3 for a fiscal year in an amount less than
4 \$42,000,000.

5 (3) USE OF FUNDS.—Of the amounts appor-
6 tioned to a State under this subsection for a fiscal
7 year—

8 (A) 50 percent shall be used by the State
9 to administer a program for the conduct of eli-
10 gible projects by Participants enrolled in the
11 program by the States; and

12 (B) 50 percent shall be used by the State
13 to administer a grant program in the State
14 under which the State provides grants to eligi-
15 ble local agencies in the State for the conduct
16 of eligible projects by Participants enrolled by
17 the eligible local agencies.

18 (b) TRIBAL PROGRAM.—For each fiscal year, the
19 Secretaries shall apportion, in accordance with a formula
20 established by the Secretaries, amounts made available
21 under section 7(3) to Indian Tribes to administer a pro-
22 gram for the conduct of eligible projects by Participants
23 enrolled in the program by the Indian Tribe.

1 (c) USE OF FUNDS.—Of the amounts provided to a
2 Program partner for the conduct of eligible projects under
3 this section, the Program partner—

4 (1) may use not more than 20 percent for ad-
5 ministrative costs of administering and carrying out
6 eligible projects (including costs of recruiting and
7 hiring individuals to carry out eligible projects);

8 (2) may use not more than 14 percent to pro-
9 vide continuing education to individuals admin-
10 istering or carrying out eligible projects;

11 (3) may use not more than 8 percent for the
12 cost of equipment and supplies for eligible projects;
13 and

14 (4) shall use the remainder of the amounts for
15 the costs of salaries of individuals administering or
16 carrying out eligible projects.

17 (d) REALLOCATION.—Any funds made available to a
18 State or Indian Tribe under subsection (a) or (b) that are
19 not obligated by the State or Indian Tribe at the end of
20 the third fiscal year beginning after the fiscal year during
21 which the funds were made available shall be withdrawn
22 from the State or Indian Tribe and reallocated by the Sec-
23 retaries to other States and Indian Tribes on the basis
24 of need, as determined by the Secretaries, and in amounts

1 that the Secretaries determine would best accomplish the
2 purposes described in section 2(b).

3 **SEC. 6. NATIONAL COUNCIL ON THE RESTORE EMPLOY-**
4 **MENT IN NATURAL AND ENVIRONMENTAL**
5 **WORK CONSERVATION CORPS.**

6 (a) ESTABLISHMENT.—The Secretary of the Interior,
7 the Secretary of Agriculture, the Secretary of Commerce,
8 the Administrator of the Environmental Protection Agen-
9 cy, the Chair of the Council on Environmental Quality,
10 the Director of the Bureau of Indian Affairs, the Chief
11 Executive Officer of the Corporation for National and
12 Community Service, and the Assistant Secretary of the
13 Army for Civil Works, through the execution of a memo-
14 randum of understanding, shall establish a National Coun-
15 cil on the Restore Employment in Natural and Environ-
16 mental Work Conservation Corps.

17 (b) MEMBERSHIP.—

18 (1) IN GENERAL.—The Council shall be com-
19 posed of—

20 (A) the Director of the Bureau of Indian
21 Affairs;

22 (B) the Director of the Bureau of Land
23 Management;

24 (C) the Commissioner of Reclamation;

1 (D) the Chief of the Natural Resources
2 Conservation Service;

3 (E) the Director of the United States Fish
4 and Wildlife Service;

5 (F) the Director of the National Park
6 Service;

7 (G) the Administrator of the National Oce-
8 anic and Atmospheric Administration;

9 (H) the Director of the Office of Surface
10 Mining Reclamation and Enforcement;

11 (I) the Chief of Engineers;

12 (J) the Chief of the Forest Service;

13 (K) the Director of the Office of Personnel
14 Management;

15 (L) the Administrator of the Environ-
16 mental Protection Agency;

17 (M) the Chair of the Council on Environ-
18 mental Quality;

19 (N) the Chief Executive Officer of the Cor-
20 poration for National and Community Service;
21 and

22 (O) other members that the signatories to
23 the memorandum of understanding under sub-
24 section (a) determine to be appropriate for
25 membership on the Council, including—

- 1 (i) the Secretary of Labor;
2 (ii) the Secretary of Education;
3 (iii) the Secretary of Health and
4 Human Services;
5 (iv) the Secretary of Housing and
6 Urban Development;
7 (v) the Secretary of Transportation;
8 and
9 (vi) the Secretary of Veterans Affairs.

10 (2) CHAIR.—

11 (A) IN GENERAL.—The Council shall select
12 a Chair of the Council from among the mem-
13 bers of the Council described in subparagraphs
14 (A) through (M) of paragraph (1).

15 (B) TERM.—The Chair of the Council
16 shall serve for a term of 1 year.

17 (c) ANNUAL MEETING.—The Chair of the Council
18 shall convene annual meetings of the Council during which
19 the Council shall conduct an assessment of—

- 20 (1) the Corps; and
21 (2) eligible projects carried out by the Corps.

22 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

23 There is authorized to be appropriated to carry out
24 this Act \$55,800,000,000 for the period of fiscal years
25 2021 through 2025, of which—

1 (1) 37.5 percent shall be made available to the
2 Secretaries to carry out eligible projects under sec-
3 tion 4(a)(1);

4 (2) 57.5 percent shall be made available to the
5 Secretaries for apportionment to States under sec-
6 tion 5(a); and

7 (3) 5 percent shall be made available to the
8 Secretaries for apportionment to Indian Tribes
9 under section 5(b).

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