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SENATE

{ REPORT
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PUBLIC LANDS SERVICE CORPS ACT

SEPTEMBER 27, 2010.—Ordered to be printed

Mr. BINGAMAN, from the Committee on Energy and Natural Resources, submitted the following

R E P O R T

[To accompany H.R. 1612]

The Committee on Energy and Natural Resources, to which was referred the Act (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 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, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the Act, as amended, do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

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

SEC. 2. AMENDMENT TO SHORT TITLE.

(a) AMENDMENT.—Section 201 of the Public Lands Corps Act of 1993 (16 U.S.C. 1701 note; 107 Stat. 848) is amended to read as follows:

“SEC. 201. SHORT TITLE; REFERENCE.

“(a) SHORT TITLE.—This title may be cited as the ‘Public Lands Service Corps Act of 1993’.

“(b) REFERENCES.—Any reference contained in any law, regulation, document, paper, or other record of the United States to the ‘Public Lands Corps Act of 1993’ shall be considered to be a reference to the ‘Public Lands Service Corps Act of 1993’.”.

SEC. 3. REFERENCE.

A reference in this Act to “the Act” is a reference to the Public Lands Service Corps Act of 1993 (16 U.S.C. 1721 et seq.; title II of Public Law 91-378).

SEC. 4. AMENDMENTS TO THE PUBLIC LANDS SERVICE CORPS ACT OF 1993.

- (a) NAME AND PROJECT DESCRIPTION CHANGES.— The Act is amended—
- (1) in the title heading, by striking “**PUBLIC LANDS CORPS**” and inserting “**PUBLIC LANDS SERVICE CORPS**”;
 - (2) in section 204 (16 U.S.C. 1723), in the heading, by striking “**PUBLIC LANDS CORPS**” and inserting “**PUBLIC LANDS SERVICE CORPS**”;
 - (3) in section 210(a)(2) (16 U.S.C. 1729(a)(2)), in the heading, by striking “**PUBLIC LANDS**”;
 - (4) by striking “Public Lands Corps” each place it appears and inserting “Corps”;
 - (5) by striking “conservation center” each place it appears and inserting “residential conservation center”;
 - (6) by striking “conservation centers” each place it appears and inserting “residential conservation centers”;
 - (7) by striking “appropriate conservation project” each place it appears and inserting “appropriate natural and cultural resources conservation project”; and
 - (8) by striking “appropriate conservation projects” each place it appears and inserting “appropriate natural and cultural resources conservation projects”.
- (b) FINDINGS.—Section 202(a) (16 U.S.C. 1721(a)) of the Act, as amended by subsection (a), is amended—
- (1) in paragraph (1)—
 - (A) by striking “Corps can benefit” and inserting “conservation corps can benefit”; and
 - (B) by striking “the natural and cultural” and inserting “natural and cultural”;
 - (2) by redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively;
 - (3) by inserting after paragraph (1) the following:

“(2) Participants in conservation corps receive meaningful education and training, and their experience with conservation corps provides preparation for careers in public service.

“(3) Young men and women who participate in the rehabilitation and restoration of the natural, cultural, historic, archaeological, recreational, and scenic treasures of the United States will gain an increased appreciation and understanding of the public lands and heritage of the United States, and of the value of public service, and are likely to become lifelong advocates for those values.”;
 - (4) in paragraph (4) (as redesignated by paragraph (2)), by inserting “, cultural, historic, archaeological, recreational, and scenic” after “Many facilities and natural”; and
 - (5) 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) (16 U.S.C. 1721(b)) of the Act is amended to read as follows:
- “(b) PURPOSES.—The purposes of this Act are—
- “(1) to introduce young men and women to public service while furthering their understanding and appreciation of the natural, cultural, historic, archaeological, recreational, and scenic resources of the United States;
 - “(2) to facilitate training and recruitment opportunities in which service is credited as qualifying experience for careers in the management of such resources;
 - “(3) to instill in a new generation of young men and women from across the United States, including young men and women from diverse backgrounds, the desire to seek careers in resource stewardship and public service by allowing them to work directly with professionals in agencies responsible for the management of the natural, cultural, historic, archaeological, recreational, and scenic resources of the United States;
 - “(4) to perform, in a cost-effective manner, appropriate natural and cultural resources conservation projects where such projects are not being performed by existing employees;
 - “(5) to assist State and local governments and Indian tribes in performing research and public education tasks associated with the conservation of natural, cultural, historic, archaeological, recreational, and scenic resources;
 - “(6) to expand educational opportunities on public lands and by rewarding individuals who participate in conservation corps with an increased ability to pursue higher education and job training;

“(7) to promote public understanding and appreciation of the missions and the natural and cultural resources conservation work of the participating Federal agencies through training opportunities, community service and outreach, and other appropriate means; and

“(8) to create a grant program for Indian tribes to establish the Indian Youth Service Corps so that Indian youth can benefit from carrying out projects on Indian lands that the Indian tribes and communities determine to be priorities.”

(d) DEFINITIONS.—Section 203 (16 U.S.C. 1722) of the Act is amended—

(1) by redesignating paragraphs (3) through (7), (8) through (10), and (11) through (13) as paragraphs (5) through (9), (11) through (13), and (15) through (17), respectively;

(2) by striking paragraphs (1) and (2) and inserting the following:

“(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) CONSULTING INTERN.—The term ‘consulting intern’ means a consulting intern selected under section 206(a)(2).

“(3) CORPS AND PUBLIC LANDS SERVICE CORPS.—The terms ‘Corps’ and ‘Public Lands Service Corps’ mean the Public Lands Service Corps established under section 204(a).

“(4) CORPS PARTICIPANT.—The term ‘Corps participant’ means an individual enrolled—

“(A) in the Corps or the Indian Youth Service Corps; or

“(B) as a resource assistant or consulting intern.”;

(3) by inserting after paragraph (9) (as redesignated by paragraph (1)) the following:

“(10) INDIAN YOUTH SERVICE CORPS.—The term ‘Indian Youth Service Corps’ means a qualified youth or conservation corps established under section 207 that—

“(A) enrolls individuals between the ages of 15 and 25, inclusive, a majority of whom are Indians; and

“(B) is established pursuant to a tribal resolution that describes the agreement between the Indian tribe and the qualified youth or conservation corps to operate an Indian Youth Service Corps program for the benefit of the members of the Indian tribe.”;

(4) by amending paragraph (12) (as redesignated by paragraph (1)) to read as follows:

“(12) PUBLIC LANDS.—The term ‘public lands’ means any land or water (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 Indian lands.”;

(5) by amending paragraph (13) (as redesignated by paragraph (1)) as follows:

(A) in subparagraph (A)—

(i) by striking “full-time.”;

(ii) by inserting “on eligible service lands” after “resource setting”; and

(iii) by striking “16” and inserting “15”;

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

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

(D) 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, all information pertaining to the expenditure of the funds, any matching funds, and participant demographics.”;

(6) by inserting after paragraph 13 (as redesignated by paragraph (1)) the following:

“(14) RESIDENTIAL CONSERVATION CENTERS.—The term ‘residential conservation centers’ means the facilities authorized under section 205.”;

(7) in paragraph (15) (as redesignated by paragraph (1)), by striking “206” and inserting “206(a)(1)”; and

(8) in paragraph (16) (as redesignated by paragraph (1))—

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

(B) in subparagraph (B), by striking the period at the end 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.”.
- (e) PUBLIC LANDS SERVICE CORPS PROGRAM.—Section 204 of the Act (16 U.S.C. 1723), as amended by subsection (a), is amended—
- (1) by redesignating subsections (b) and (c) and subsections (d) through (f) as subsections (c) and (d) and subsections (f) through (h), respectively;
 - (2) by striking subsection (a) and inserting the following:

“(a) ESTABLISHMENT OF PUBLIC LANDS SERVICE CORPS.—There is established in the Department of the Interior, the Department of Agriculture, and the Department of Commerce a Public Lands Service Corps.

“(b) ESTABLISHMENT OF CORPS OFFICE; COORDINATORS; LIAISON.—

 - “(1) ESTABLISHMENT OF OFFICES.—
 - “(A) DEPARTMENT OF THE INTERIOR.—The Secretary of the Interior shall establish a department-level office to coordinate the Corps activities within the Department of the Interior.
 - “(B) DEPARTMENT OF AGRICULTURE.—The Secretary of Agriculture shall establish within the Forest Service an office to coordinate the Corps activities within that agency.
 - “(C) DEPARTMENT OF COMMERCE.—The Secretary of Commerce shall establish within the National Oceanic and Atmospheric Administration an office to coordinate the Corps activities within that agency.

“(2) ESTABLISHMENT OF COORDINATORS.—The Secretary shall designate a Public Lands Service Corps coordinator for each agency under the jurisdiction of the Secretary that administers Corps activities.

“(3) ESTABLISHMENT OF LIAISON.—The Secretary of the Interior shall establish an Indian Youth Service Corps liaison that will—

 - “(A) provide outreach to Indian tribes about opportunities for establishing Corps and Indian Youth Service Corps programs; and
 - “(B) coordinate with the Tribal Liaison of the Corporation for National Service to identify and establish Corps and Indian Youth Service Corps opportunities for Indian youth.”;

(3) by amending subsection (c) (as redesignated by paragraph (1)) to read as follows:

“(c) PARTICIPANTS.—

 - “(1) IN GENERAL.—The Secretary may enroll in the Corps individuals who are—
 - “(A) hired by an agency under the jurisdiction of the Secretary to perform work authorized under this Act; or
 - “(B) 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.

“(2) RESOURCE ASSISTANTS AND CONSULTING INTERNS.—The Secretary may also enroll in the Corps resource assistants and consulting interns in accordance with section 206(a).

“(3) ELIGIBILITY REQUIREMENTS.—To be eligible for enrollment as a Corps participant, an individual shall—

 - “(A) be between the ages of 15 and 25, inclusive; and
 - “(B) satisfy the requirements of section 137(a)(5) of the National and Community Service Act of 1990 (42 U.S.C. 12591(a)(5)).

“(4) TERMS.—Each Corps participant may be enrolled in the Corps for a term of up to 2 years of service, which may be served over a period that exceeds 2 calendar years.

“(5) CIVIL SERVICE.—An individual may be enrolled as a Corps participant without regard to the civil service and classification laws, rules, or regulations of the United States.

“(6) PREFERENCE.—The Secretary may establish a preference for the enrollment as Corps participants individuals who are economically, physically, or educationally disadvantaged.”;
 - (4) in subsection (d) (as redesignated by paragraph (1))—
 - (A) in paragraph (1)—
 - (i) by striking “contracts and”; and
 - (ii) by striking “subsection (d)” and inserting “subsection (f)”;
 - (B) by striking paragraph (2); and
 - (C) by inserting after paragraph (1) the following:

“(2) RECRUITMENT.—The Secretary shall carry out, or enter into cooperative agreements to provide, a program to attract eligible youth to the Corps by publi-

cizing Corps opportunities through high schools, colleges, employment centers, electronic media, and other appropriate institutions and means.

“(3) PREFERENCE.—In entering into cooperative agreements under paragraph (1) or awarding competitive grants to Indian tribes or tribally authorized organizations under section 207, the Secretary may give preference to qualified youth or conservation corps that are located in specific areas where a substantial portion of members are economically, physically, or educationally disadvantaged.”;

(5) by inserting after subsection (d) (as redesignated by paragraph (1)) the following:

“(e) TRAINING—

“(1) IN GENERAL.—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.

“(2) REQUIREMENTS.—In establishing a training program under paragraph (1), the Secretary shall—

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

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

“(i) resource stewardship;

“(ii) health and safety;

“(iii) ethics for individuals in public service;

“(iv) teamwork and leadership; and

“(v) interpersonal communications;

“(C) direct the participating agencies within the Department of the Interior, the Forest Service in the case of the Department of Agriculture, and the National Oceanic and Atmospheric Administration in the case of the Department of Commerce, to develop agency-specific training guidelines to ensure that Corps participants are appropriately informed about matters specific to that agency, including—

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

“(ii) the mission of the agency; and

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

“(D) take into account training already received by Corps participants enrolled from qualified youth or conservation corps.”;

(6) in subsection (f) (as redesignated by paragraph (1))—

(A) in paragraph (1)—

(i) in the heading, by striking “IN GENERAL.—” and inserting “USE OF CORPS; PROJECTS.—”;

(ii) by striking “The Secretary may utilize the Corps or any qualified youth or conservation corps to carry out” and inserting the following:

“(A) IN GENERAL.—The Secretary may use the Corps to carry out, with appropriate supervision and training,”;

(iii) by striking “on public lands” and inserting “on eligible service lands”; and

(iv) by adding at the end the following:

“(B) PROJECTS.—Appropriate natural and cultural resources conservation projects carried out under this section may include—

“(i) protecting, restoring, or enhancing ecosystem components to promote species recovery, improve biological diversity, enhance productivity and carbon sequestration, and enhance adaptability and resilience of eligible service lands and resources to climate change and other natural and human disturbances;

“(ii) promoting the health of eligible service lands, including—

“(I) protecting and restoring watersheds and forest, grassland, riparian, estuarine, marine, or other habitat;

“(II) reducing the risk of uncharacteristically severe wildfire and mitigating damage from insects, disease, and disasters;

“(III) controlling erosion;

“(IV) controlling and removing invasive, noxious, or nonnative species; and

“(V) restoring native species;

“(iii) collecting biological, archaeological, and other scientific data, including climatological information, species populations and movement, habitat status, and other information;

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

“(v) constructing, repairing, rehabilitating, and maintaining roads, trails, campgrounds and other visitor facilities, employee housing, cultural and historic sites and structures, and other facilities that further the purposes of this Act.”;

(B) by redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively; and

(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 institution, friends group, or similar nonprofit partner organization for the purpose of providing training and work experience to Corps participants in areas such as sales, office work, accounting, and management, provided that the work experience directly relates to the conservation and management of eligible service lands; and

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

“(3) INTERPRETATION.—The Secretary may permit Corps participants to provide interpretation or education services for the public under the direct and immediate supervision of an agency employee—

“(A) to provide orientation and information services to visitors;

“(B) to assist agency employees in the delivery of interpretive or educational programs where audience size, environmental conditions, safety, or other factors make such assistance desirable;

“(C) to present programs that relate the personal experience of the Corps participants for the purpose of promoting public awareness of the Corps, the role of the Corps in public land management agencies, and the availability of the Corps to potential participants; and

“(D) to create nonpersonal interpretive products, such as website content, Junior Ranger program books, printed handouts, and audiovisual programs.”;

(7) in subsection (g) (as redesignated by paragraph (1))—

(A) in the matter preceding the first paragraph, by striking “those projects which” and inserting “priority projects and other projects that”; and

(B) by striking paragraph (2) and inserting the following:

“(2) will instill in Corps participants a work ethic and a sense of public service.”; and

(8) by adding at the end the following:

“(i) 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.

“(j) CRIMINAL HISTORY CHECKS.—

“(1) IN GENERAL.—The requirements of section 189D(b) of the National and Community Service Act of 1990 (42 U.S.C. 12645g(b)) shall apply to each individual age 18 or older seeking—

“(A) to become a Corps participant;

“(B) to receive funds authorized under this Act; or

“(C) to supervise or otherwise have regular contact with Corps participants in activities authorized under this Act.

“(2) ELIGIBILITY PROHIBITION.—If any of paragraphs (1) through (4) of section 189D(c) of the National and Community Service Act of 1990 (42 U.S.C. 12645g(c)(1)–(4)) apply to an individual described in paragraph (1), that individual shall not be eligible for the position or activity described in paragraph (1), unless the Secretary provides an exemption for good cause.”.

(f) RESIDENTIAL CONSERVATION CENTERS AND PROGRAM SUPPORT.—Section 205 (16 U.S.C. 1724) of the Act is amended—

(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 Corps participants; and

“(B) the conduct of appropriate natural and cultural resources conservation projects under this Act.”;

(B) by striking paragraph (2);

(C) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively;

(D) in paragraph (2) (as redesignated by subparagraph (C)), in the heading, by striking “FOR CONSERVATION CENTERS”; and

(E) in paragraph (3) (as redesignated by subparagraph (C)), by striking “a State or local government agency” and inserting “another Federal agency, State, local government,”;

(3) in subsection (b)—

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

“(1) IN GENERAL.—The Secretary”; and

(B) by adding at the end the following:

“(2) TEMPORARY HOUSING.—The Secretary may make arrangements with another Federal agency, State, local government, or private organization to provide temporary housing for Corps participants as needed and available.

“(3) TRANSPORTATION.—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 (f);

(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 construction or rehabilitation of residential conservation center facilities, including housing.

“(e) MENTORS.—The Secretary may recruit from programs, such as Federal volunteer and encore service programs, and from veterans groups, military retirees, and active duty personnel, such adults as may be suitable and qualified to provide training, mentoring, and crew-leading services to Corps participants.”; and

(6) in subsection (f) (as redesignated by paragraph (4)), by striking “that are appropriate” and all that follows through the period and inserting “that the Secretary determines to be necessary for a residential conservation center.”.

(g) RESOURCE ASSISTANTS AND CONSULTING INTERNS.—Section 206 of the Act (16 U.S.C. 1725) is amended—

(1) in the section heading, by inserting “**AND CONSULTING INTERNS**” before the period;

(2) by striking subsections (a) and (b) and inserting the following:

“(a) AUTHORIZATION.—

“(1) RESOURCE ASSISTANTS.—

“(A) IN GENERAL.—The Secretary may provide individual placements of resource assistants with any agency under the jurisdiction of the Secretary that carries out appropriate natural and cultural resources conservation projects to carry out research or resource protection activities on behalf of the agency.

“(B) ELIGIBILITY.—To be eligible for selection as a resource assistant, an individual shall be at least 17 years of age.

“(C) PREFERENCE.—In selecting resource assistants for placement under this paragraph, the Secretary shall give a preference to 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 ensuring full representation of women and participants from Historically Black Colleges and Universities, Hispanic-serving institutions, and Tribal Colleges and Universities.

“(2) CONSULTING INTERNS.—

“(A) IN GENERAL.—The Secretary may provide individual placements of consulting interns with any agency under the jurisdiction of the Secretary that carries out appropriate natural and cultural resources conservation projects to carry out management analysis activities on behalf of the agency.

“(B) ELIGIBILITY.—To be eligible for selection as a consulting intern, an individual shall be enrolled in, and have completed at least 1 full year at, a graduate or professional school that has been accredited by an accrediting body recognized by the Secretary of Education.

“(b) USE OF EXISTING NONPROFIT ORGANIZATIONS.—

“(1) IN GENERAL.—Whenever 1 or more non-profit organizations can provide appropriate recruitment and placement services to fulfill the requirements of this section, the Secretary may implement this section through such organizations.

“(2) EXPENSES.—Participating organizations shall contribute to the expenses of providing and supporting the resource assistants or consulting interns from sources of funding other than the Secretary, at a level of not less than 25 percent of the total costs (15 percent of which may be from in-kind sources) of each participant in the resource assistant or consulting intern program who has been recruited and placed through that organization.

“(3) REPORTING.—Each participating organization shall be required to submit an annual report evaluating the scope, size, and quality of the program, including the value of work contributed by the resource assistants and consulting interns, to the mission of the agency.”.

(h) TECHNICAL AMENDMENT.—The Act is amended by redesignating sections 207 through 211 (16 U.S.C. 1726 through 1730) as sections 209 through 213, respectively.

(i) INDIAN YOUTH SERVICE CORPS.—The Act is amended by inserting after section 206 (16 U.S.C. 1725) the following:

“SEC. 207. INDIAN YOUTH SERVICE CORPS.

“(a) AUTHORIZATION OF COOPERATIVE AGREEMENTS AND COMPETITIVE GRANTS.—The Secretary is authorized to enter into cooperative agreements with, or make competitive grants to, Indian tribes and qualified youth or conservation corps for the establishment and administration of Indian Youth Service Corps programs to carry out appropriate natural and cultural resources conservation projects on Indian lands.

“(b) APPLICATION.—To be eligible to receive assistance under this section, an Indian tribe or a qualified youth or conservation corps shall submit to the Secretary an application in such manner and containing such information as the Secretary may require, including—

“(1) a description of the methods by which Indian youth will be recruited for and retained in the Indian Youth Service Corps;

“(2) a description of the projects to be carried out by the Indian Youth Service Corps;

“(3) a description of how the projects were identified; and

“(4) explanation of the impact of, and the direct community benefits provided by, the proposed projects.”.

(j) GUIDANCE.—The Act is amended by inserting after section 207 (as amended by subsection (i)) the following:

“SEC. 208. GUIDANCE.

“Not later than 18 months after funds are made available to the Secretary to carry out this Act, the Secretary shall issue guidelines for the management of programs under the jurisdiction of the Secretary that are authorized under this Act.”.

(k) LIVING ALLOWANCES AND TERMS OF SERVICE.—Section 209 of the Act (16 U.S.C. 1726) (as redesignated by subsection (h)) is amended by striking subsections (a), (b), and (c) and inserting the following:

“(a) LIVING ALLOWANCES.—

“(1) IN GENERAL.—The Secretary shall provide each Corps participant with a living allowance in an amount established by the Secretary.

“(2) COST-OF-LIVING DIFFERENTIAL TRAVEL COSTS.—The Secretary may—

“(A) apply a cost-of-living differential to the living allowances established under paragraph (1); and

“(B) if the Secretary determines reimbursement to be appropriate, reimburse Corps participants for travel costs at the beginning and end of the term of service of the Corps participants.

“(b) TERMS OF SERVICE.—

“(1) IN GENERAL.—Each Corps participant shall agree to participate for such term of service as may be established by the Secretary.

“(2) CONSULTATIONS.—With respect to the Indian Youth Service Corps, the term of service shall be established in consultation with the affected Indian tribe or tribally authorized organization.

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

“(1) grant to a Corps participant credit for time served as a Corps participant, which may be used toward future Federal hiring;

“(2) provide to a former participant of the Corps or the Indian Youth Service Corps noncompetitive hiring status for a period of not more than 2 years after the date on which the service of the candidate in the Corps or the Indian Youth Service Corps was complete, if the candidate—

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

- “(B) meets Office of Personnel Management qualification standards for the position for which the candidate is applying;
- “(3) provide to a former resource assistant or consulting intern noncompetitive hiring status for a period of not more than 2 years after the date on which the individual has completed an undergraduate or graduate degree, respectively, from an accredited institution, if the candidate—
- “(A) successfully fulfilled the resource assistant or consulting intern program requirements; and
- “(B) meets Office of Personnel Management qualification standards for the position for which the candidate is applying; and
- “(4) provide, or enter into contracts or 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 Corps participants who have completed the term of service.”.
- (l) NATIONAL SERVICE EDUCATIONAL AWARDS.—Section 210 (16 U.S.C. 1727) of the Act (as redesignated by subsection (h)) is amended—
 - (1) in subsection (a) (as amended by subsection (a)(4)), in the first sentence—
 - (A) by striking “participant in the Corps or a resource assistant” and inserting “Corps participant”; and
 - (B) by striking “participant or resource assistant” and inserting “Corps participant”; and
 - (2) in subsection (b)—
 - (A) by striking, “either participants in the Corps or resource assistants” and inserting “Corps participants”; and
 - (B) by striking “or a resource assistant”.
- (m) NONDISPLACEMENT.—Section 211 of the Act (16 U.S.C. 1728) (as redesignated by subsection (h)) is amended by striking “activities carried out” and all that follows through the period and inserting “Corps participants.”.
- (n) FUNDING.—Section 212 of the Act (16 U.S.C. 1729) (as redesignated by subsection (h)) is amended—
 - (1) in subsection (a)—
 - (A) in paragraph (1)—
 - (i) in the second sentence, by striking “non-federal sources” and inserting “sources other than the Secretary”; and
 - (ii) by inserting after the second sentence the following: “The Secretary may pay up to 90 percent of the costs of a project if the Secretary determines that the reduction is necessary to enable participation from a greater range of organizations or individuals.”; and
 - (B) in paragraph (2), by inserting “or Indian Youth Service Corps” after “Corps” each place it appears;
 - (2) by amending subsection (b) to read as follows:

“(b) FUNDS AVAILABLE UNDER NATIONAL AND COMMUNITY SERVICE ACT.—To carry out this Act, the Secretary shall be eligible to apply for and receive assistance under section 121(b) of the National and Community Service Act (42 U.S.C. 12571(b)).”; and
 - (3) in subsection (c)—
 - (A) by striking “section 211” and inserting “section 213”; and
 - (B) by inserting “or Indian Youth Service Corps” after “Corps”.
- (o) AUTHORIZATION OF APPROPRIATIONS.—Section 213 of the Act (16 U.S.C. 1730) (as redesignated by subsection (h)) is amended—
 - (1) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary to carry out this Act.”;
 - (2) by striking subsection (b); and
 - (3) by redesignating subsection (c) as subsection (b).

PURPOSE

The purpose of H.R. 1612 is to improve and expand the activities carried out under the Public Lands Corps Act of 1993.

BACKGROUND AND NEED

The Public Lands Corps was established by the Public Lands Corps Act of 1993 (Pub. L. 103–82; hereinafter “the 1993 Act”) to encourage young adults to carry out a wide range of service projects on public lands. The National Park Service has supported

a wide range of Public Lands Corps projects since 1997, but the authority was not used by other agencies. In 2005, the 1993 Act was amended to expand the use of the Corps and the opportunities it promised for young people around the country. While youth conservation corps have a strong record of restoring, maintaining, and improving public lands in a cost-effective and efficient manner working in partnership with Federal land management agencies, the 2005 amendments nevertheless had a limited effect on expanding the use of the program. However, interest in the program has continued to grow.

Corps programs benefit young men and women by providing them with public service, service-learning, job training, and work opportunities. It also introduces a diversity of young people to careers in natural and cultural resource stewardship and public service by working directly with conservation professionals in land management agencies. This work also promotes the understanding of and appreciation for the agencies' missions, and provides potential pathways to Federal careers in the public land management agencies, which are in need of a new generation of employees.

H.R. 1612 would expand and strengthen the 1993 Act by creating a "consulting intern" program for graduate students who help agencies carry out management analysis activities, facilitating career placement for corps participants, emphasizing partnerships and learning opportunities, authorizing additional financial and administrative support for corps participants, and establishing an Indian Youth Service Corps to be managed by tribally authorized organizations. H.R. 1612 also diversifies the types of projects and activities that may be carried out by the corps, including such activities as historical and cultural research, museum curatorial work, oral history projects, documentary photography, public and web information and services, and visitor safety projects.

LEGISLATIVE HISTORY

H.R. 1612 was introduced by Representative Grijalva on March 19, 2009, and was passed by the House of Representatives, as amended, on March 20, 2010, by a vote of 288 to 116. Senator Bingaman introduced a similar bill (S. 1442) on July 10, 2009. The Subcommittee on Public Lands and Forests held a hearing on the bills on October 29, 2009 (S. Hrg. 111-223).

At its business meeting on July 21, 2010, the Committee on Energy and Natural Resources ordered H.R. 1612 favorably reported with an amendment in the nature of a substitute.

COMMITTEE RECOMMENDATION

The Committee on Energy and Natural Resources, in open business session on July 21, 2010, by a voice vote of a quorum present, recommends that the Senate pass H.R. 1612, if amended as described herein.

COMMITTEE AMENDMENT

During its consideration of H.R. 1612, the Committee adopted an amendment in the nature of a substitute. The amendment makes a number of technical and conforming amendments to H.R. 1612. The amendment also includes new provisions that authorize a pro-

gram to establish an Indian Youth Service Corps and reduce the minimum age for participants to 15 years, eliminates provisions regarding green building standards, and modifies provisions regarding criminal history checks, cost-sharing, and appropriations. The amendment is explained in detail in the section-by-section analysis below.

SECTION-BY-SECTION ANALYSIS

Section 1 provides the short title for the Act.

Section 2 amends the short title of the 1993 Act and provides for references to the original short title to be considered references to the amended short title.

Section 3 provides that “the Act” in the Public Lands Service Corps Act of 2010 refers to the Public Lands Service Corps Act of 1993.

Section 4(a) of the Act makes several conforming amendments to the 1993 Act.

Subsections (b), (c), and (d) amend the findings, purposes, and definitions, respectively, in the 1993 Act.

Subsection (e) amends section 204 of the 1993 Act to add a Public Lands Service Corps program in the National Oceanic and Atmospheric Administration in the Department of Commerce to create Federal offices and coordinators for Corps activities, to establish an Indian Youth Service Corps liaison in the Department of the Interior, and to provide that individuals may enroll in the Corps for no more than a total of 2 years. It also eliminates explicit contracting authority for the Corps, emphasizing the use of cooperative agreements with qualified youth or conservation corps as the primary mechanism for carrying out the program; adds provisions for recruitment and training programs for Corps members; describes and expands the types of projects that may be carried out through the Corps; and clarifies that volunteers from other programs, such as the Retired Senior Volunteer Program, may participate in Corps projects. Finally, it adds a requirement for certain Corps participants, recipients of Corps program funding, and supervisors to submit to a criminal history check in accordance with section 189D(b) of the National and Community Service Act (42 U.S.C. 12645g(b)), and precludes any individual under the jurisdiction of the Secretary or that is formally connected to the Corps from enrolling, receiving funds, or having regular contact with Corps participants during their program activities if that individual refuses to submit to—or makes a false statement in connection with—a criminal history check, is registered—or is required to be registered—on a State sex offender registry or the National Sex Offender Registry, or has been convicted of murder (as described in 18 U.S.C. 1111).

Subsection (f) amends section 205 of the 1993 Act to clarify that the Secretaries may provide temporary housing and transportation for Corps participants, and may recruit mentors, supervisors, and others to help train and lead the Corps.

Subsection (g) amends section 206 of the 1993 Act to add a “consulting intern” program to the Corps to carry out management analysis for agencies in the three participating Departments. This provision builds on the National Park Service’s successful use of consulting interns from business and public management graduate

schools to help develop business plans for units of the National Park System.

Subsection (h) is a technical amendment, which renumbers sections of the 1993 Act.

Subsections (i) adds a new section 207 to the 1993 Act to authorize the Secretaries to enter into cooperative agreements and make competitive grants to Indian tribes to establish an Indian Youth Service Corps to focus on carrying out appropriate natural and cultural resources conservation projects on Indian lands.

Subsection (j) adds a new section 208 to the 1993 Act to require the Secretaries to issue guidelines for the management of the Corps programs under their jurisdiction.

Subsection (k) clarifies that the Secretaries may reimburse Corps participants for the cost of travel to and from the Corps program and modifies the Federal hiring provisions of the 1993 Act.

Subsections (l) and (m) make conforming changes to the National Service Educational Awards and non-displacement provisions of the 1993 Act, respectively.

Subsection (n) amends the funding provisions of the 1993 Act to permit qualified youth and conservation corps to use other Federal funds, such as those from the Corporation for National and Community Service, to meet their cost-sharing requirements, and to permit the Secretaries to reduce the cost-sharing requirements from 25% to not less than 10% under certain circumstances.

Subsection (o) amends the authorization of appropriations for the Corps. Originally, the 1993 Act implicitly authorized the appropriation of such sums as were necessary to carry out the Act. However, no funds were appropriated, and the 1993 Act subsequently was amended to explicitly authorize \$12,000,000. Only a fraction of that amount has ever been appropriated, and H.R. 1612 would further amend the Act to return to a more simple authorization of such sums as are necessary to carry out the Act.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

H.R. 1612—Public Lands Service Corps Act of 2010

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 \$136 million over the 2011–2015 period. Enacting H.R. 1612 would not affect revenues or direct spending; therefore, pay-as-you-go procedures do not apply.

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—					
	2011	2012	2013	2014	2015	2011-2015
Estimated Authorization Level	35	35	35	35	35	175
Estimated Outlays	12	22	32	35	35	136

Basis of estimate: For this estimate, CBO assumes that H.R. 1612 will be enacted near the beginning of fiscal year 2011 and that the amounts estimated to be necessary will be appropriated for each year. Estimated outlays are based on historical spending patterns for the Public Lands Corps.

In addition to changing the name of the Public Lands Corps (PLC) to the Public Lands Service Corps (PLSC), H.R. 1612 would:

- Expand the program to include the National Oceanic and Atmospheric Administration (NOAA);
- Assist Indian tribes and related youth groups with operation of an Indian Youth Service Corps;
- 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 PLC 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 more than 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 some agencies receive specific appropriations. For example, the Forest Service receives appropriations for some PLC projects, but the funding (less than \$3 million in 2010) may only be used for hazardous fuels reduction. The NPS also receives funding for PLC projects, but usually that funding is derived from recreation fees that the agency is able to use without appropriation action. In addition, for the first time in 2010, the agency received \$5 million to expand youth activities at parks. Other agencies work with student conservation groups using funds from their annual operating budgets.

Public Lands Service Corps under H.R. 1612

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

tion also would expand the types of activities in which PLSC members could participate.

In addition, H.R. 1612 would authorize DOI to provide grants and other assistance to Indian tribes and related youth organizations for a new Indian Youth Service Corps. Finally, the act would require criminal history checks for program applicants aged 18 or older.

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 appropriation 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 legislation.

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 \$35 million annually for this purpose. Such funding would allow agencies that have smaller 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. Finally, this funding would allow DOI to provide grants to Indian tribes and other organizations for youth projects on tribal lands.

The estimated annual cost of \$35 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. Finally, the estimate includes costs to provide criminal background checks on participants as required by the legislation. Some of the affected agencies already obtain such checks on participants that they hire directly, but most do not for participants hired through local youth groups. Amounts paid to those groups for public lands projects would probably have to increase by the amount needed for the background checks. The cost of preparing those checks is about \$125 a person.

CBO estimates that funding for the PLSC would grow after the first five years as agencies use the enhanced authorities contained in the legislation to recruit participants directly to their 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.

Previous CBO estimate: On October 6, 2009, CBO transmitted a cost estimate for H.R. 1612 as ordered reported by the House Committee on Natural Resources on June 10, 2009. The two versions

of the legislation are similar, but as reflected in the estimate, implementing the Senate version would cost more because it would require an Indian grant program and security checks on participants for all programs.

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.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 1612.

The Act is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 1612, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

H.R. 1612, as ordered reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

The views of the Department of Agriculture and the Department of the Interior were included in testimony received by the Committee at the October 29, 2009, subcommittee hearing on S. 1442 and H.R. 1612, which is printed below:

STATEMENT OF ROBERT G. STANTON, DEPUTY ASSISTANT SECRETARY FOR POLICY AND PROGRAM MANAGEMENT, DEPARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to appear before your committee to present the views of the Department of the Interior on S. 1442, a bill that would amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of the Interior, Agriculture and Commerce 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.

The Department strongly supports S. 1442. This bill would strengthen and facilitate the use of the Public Land Corps (PLC) program, helping to fulfill the vision that Secretary Salazar has for promoting ways to engage young people across America to serve their community and their

country. On April 2, 2009, the Department testified in support of the House companion bill, H.R. 1612. While we are strongly supportive of S. 1442, there are a few areas where we would like to suggest some changes. We commit to working with the committee to address these recommendations.

ENGAGING AMERICA'S YOUTH THROUGH SERVICE

While there are other Federal programs that promote service, expanding the use of the Public Land Corps could be a particularly important part of our overall strategy for increasing opportunities and incentives for young people to become involved because this program serves other high-priority goals as well. Through it, we could reconnect young people with their natural environment and cultural heritage; make progress on energy conservation and the use of alternative sources of energy; and provide education, training, and career-building experiences—and a pathway to careers in Federal land management agencies, which are in serious need of new, younger employees.

Secretary Salazar created the Youth in Natural Resources program during his tenure at the Colorado Department of Natural Resources as a way to educate thousands of young people about Colorado's natural resources, and he saw firsthand what a difference it made in their lives. From the day he was nominated as Secretary of the Interior, he has emphasized that it would be one of his top priorities to find more ways to introduce young Americans from all backgrounds to the beauty of our national parks, refuges, and public lands and to promote an ethic of volunteerism and conservation in the younger generation. Enactment of this legislation could pave the way to meeting one of the Secretary's top priority goals—to develop a 21st Century Youth Civilian Conservation Corps.

BACKGROUND ON PUBLIC LAND CORPS PROGRAM

The Department regards the Public Land Corps program as an important and successful example of civic engagement and conservation. Authorized by the National and Community Service Trust Act in 1993, the program uses non-profit organizations such as the Student Conservation Association (SCA) and other service and conservation corps organizations affiliated with the Corps Network as the primary partners in administering the Public Land Corps program. In addition, other non-profit youth organizations such as the YMCA also participate, as do local high schools and job-training youth organizations. The youth organizations assist the National Park Service (NPS) in its efforts to attract diverse participants to the parks by recruiting youth 16–25 years of age from all socioeconomic, cultural and ethnic backgrounds.

The National Park Service makes extensive use of the PLC program. Projects are funded through recreational fee revenue, with the typical project receiving \$25,000 from NPS plus a 25 percent match from a partner organization.

NPS spent \$4.1 million on the program in FY 2008, which funded about 1,500 young men and women working on 178 projects at 99 park units. Most PLC projects at parks are designed to address maintenance and ecological restoration needs. The NPS also conducts other youth service and conservation projects at larger parks which are funded out of the parks' own budgets.

NPS also spent more than \$3 million on the Youth Conservation Corps program which is a summer employment program for 15–18 year old youth. NPS in fiscal year 2008 employed 833 youth to work on conservation projects across the country. The YCC program has been administered by the National Park Service since 1974.

The Bureau of Land Management (BLM) and the U.S. Fish and Wildlife Service (FWS) have a long history of employing youth service and conservation corps participants from the SCA, Youth Conservation Corps and other organizations for a wide array of projects related to public lands resource enhancement and facility maintenance. Though most corps are affiliated with the nationwide Corps Network, they are often administered at the state, rather than national level. For example, the FWS and SCA have partnered for over 20 years to offer work and learning opportunities to students. In FY 2007, 122 Conservation Interns served at 45 FWS sites in 24 states, contributing more than 80,000 hours of work.

The BLM has engaged the services of SCA interns for many years under a longstanding national assistance agreement, then under individual state agreements. In 2006, the last year of BLM's national agreement, a total of 116 SCA members served at 16 BLM sites in eight states. The interns participated in a variety of conservation service activities such as recreation and river management, historic building restoration and maintenance, seed collection, and invasive species control. BLM's Salem Oregon District, for example, hires a mixture of Northwest Youth Corps, Clackamas County, and Columbia River Youth Corps members each year to perform a variety of activities such as trail maintenance and construction.

The FWS manages 587 units of the National Wildlife Refuge System that cover over 150 million acres, as well as 70 National Fish Hatcheries, which would directly benefit from programs authorized under S. 1442. National Wildlife Refuges and National Fish Hatcheries enjoy strong relationships with the local communities in which they are located, and are involved in many community-based projects that help maintain sustainable landscapes. The FWS's work is also supported by over 200 non-profit Friends organizations that assist in offering quality education programs, mentoring, and work experience for youth.

In 2007, the FWS employed 496 Youth Conservation Corps enrollees and 177 individuals through the Student Conservation Association program. Last year, over 39,000 volunteers contributed their time and talents to a variety

of programs including support for youth education projects. Over the past two years the FWS has provided funding for a YCC program involving the Mescalero Apache youth at the Mescalero Tribal Hatchery in New Mexico. The FWS has working relationships with numerous colleges and universities for students interested in pursuing careers in fish and wildlife management.

THE PUBLIC LANDS SERVICE CORPS ACT OF 2009

S. 1442 would make several administrative and programmatic changes that, in our view, would strengthen and improve the Public Land Corps Act. These changes would encourage broader agency use of the program, make more varied opportunities available for young men and women, and provide more support for participants during and after their service. Appropriately, S. 1442 would change the program's name to Public Lands Service Corps, reflecting the emphasis on "service" that is the hallmark of the program. President Obama is committed to providing young people with greater opportunities and incentives to serve their community and country. Through an enhanced Public Lands Service Corps, we would be taking a critical first step that direction.

Key changes that the legislation would make to existing law include:

- Adding the National Oceanic and Atmospheric Administration, which administers national marine sanctuaries, as an agency authorized to use the program;
- Establishing an Indian Youth Corps so Indian Youth can benefit from Corps programs based on Indian lands, carrying out projects that their tribes and communities determine to be priorities;
- Authorizing a departmental-level office at the Department of the Interior to coordinate Corps activities within the three land management bureaus;
- Requiring each of the three relevant departments to undertake or contract for a recruiting program for the Corps;
- Requiring each of the three relevant departments to establish a training program for Corps members, and identifying specific components the training must include;
- Identifying more specific types of projects that could be conducted under this authority;
- Allowing participants in other volunteer programs to participate in PLC projects;
- Allowing agencies to make arrangements with other Federal, state, or local agencies, or private organizations, to provide temporary housing for Corps members;
- Providing explicit authority for the establishment of residential conservation centers, and authorizing the Secretary to seek the assistance of the Secretary of Energy in identifying and using solar and other

green building technologies that may be adapted for these facilities;

- Authorizing agencies to recruit experienced volunteers from other programs to serve as mentors to Corps members;
- Adding “consulting intern” as a new category of service employment under the PLC program;
- Allowing agencies to apply a cost-of-living differential in the provision of living allowances and to reimburse travel expenses;
- Allowing agencies to provide noncompetitive hiring status for Corps members for two years after completing service, rather than only 120 days, if certain terms are met;
- Allowing agencies to provide job and education counseling, referrals, and other appropriate services to Corps members who have completed their service; and
- Eliminating the \$12 million authorization ceiling for the program.

We believe that the Department’s program would benefit from enactment of this legislation. As noted above, most PLC projects at national parks are designed to address maintenance and ecological restoration needs, and those types of projects would continue to be done under S. 1442. However, this legislation specifies a broader range of potential projects, making it likely that Corps members could become involved in such varied activities as historical and cultural research, museum curatorial work, oral history projects and programs, documentary photography, public information and orientation services that promote visitor safety, and activities that support the creation of public works of art. Participants might assist employees in the delivery of interpretive or educational programs and create interpretive products such as website content, Junior Ranger program books, printed handouts, and audiovisual programs.

PLC participants would also be able to work for a park partner organization where the work might involve sales, office work, accounting, and management, so long as the work experience is directly related to the protection and management of public lands. The NPS and the FWS have a large number of partner organizations that would be potential sponsors of young people interested in the type of work they might offer.

An important change for the Department is the addition of specific authority for agencies to pay transportation expenses for non-residential Corps members. Transportation costs may be a limiting factor in program participation of economically disadvantaged young people.

Another important change is the addition of “consulting intern” as a new category of service employment under the PLC program, expanding on the use of mostly college-student “resource assistants,” provided for under existing law. The consulting interns would be graduate students who would help agencies carry out management analysis activi-

ties. NPS has successfully used business and public management graduate student interns to write business plans for parks for several years, and this addition would bring these interns under the PLC umbrella.

The Public Lands Service Corps would also offer agencies the ability to hire successful corps members non-competitively at the end of their appointment, which would provide the agency with an influx of knowledgeable employees as well as career opportunities for those interested in the agencies' mission. Refuges and hatcheries, for example, are uniquely qualified to connect with local communities since the Service has so many refuges across the country that are located near smaller communities and can directly engage urban, inner city, and rural youth. For example, partnering academic institutions could offer educational programs to enhance the students' work experience, thereby providing orientation and exposure to a broad range of career options.

The legislation would also give the Department's other bureaus that would utilize this program the authority to expand the scope of existing corps programs to reflect modern day challenges, such as climate change and add incentives to attract new participants, especially from underrepresented populations.

An expanded Public Lands Service Corps program would provide more opportunities for thousands of young Americans to participate in public service while we address the critical maintenance, restoration, repair and rehabilitation needs on our public lands and gain a better understanding of the impacts of climate change on these treasured landscapes.

RECOMMENDED CHANGES TO S. 1442

While we are very supportive of S. 1442, there are a few areas we would like to suggest some changes. We would be happy to work with the committee to develop technical amendments and changes in the following areas:

- *Cost sharing for nonprofit organizations contributing to expenses of resource assistants and consulting interns:* Under current law in the case of resource assistants, and under S. 1442 in the case of consulting interns, sponsoring organizations are required to cost-share the expenses of providing and supporting these individuals from "private sources of funding"—25 percent for resource assistants and 10 percent for consulting interns. The administration recommends leveling this cost-requirement to 25 percent for both categories of participants with an additional provision to give agencies the ability to reduce the non-Federal contribution to no less than 10 percent, but only when the Secretary determines it is necessary to enable a greater range of organizations, such as smaller, community-based organizations that draw from low-income and rural populations, to participate in the PLSC program.
- *Benefits for consulting interns:* The Department recommends clarifying amendments to include consulting in-

terms as the third type of corps member who are eligible for living allowances; national service educational awards and forbearance in the collection of Stafford loans. This change would allow all three types of corps members—PLSC participants, resource assistants, and consulting interns—to be treated equally for purposes of eligibility for living allowances and education benefits. We also suggest clarifying language to ensure that members of qualifying conservation and youth corps are treated as Corps participants. Existing law and the bill as introduced differentiate between Corps participants, who are hired directly by the agencies, and youth who are sponsored by other organizations.

- *Hiring Preference:* It is unclear whether resource assistance would qualify for the provision of credit for time served with the Public Lands Service Corps for future federal hiring. We recommend that this language be clarified to ensure resource assistants are made eligible for these benefits.

Second, S. 1442 provides that former PLSC members would be eligible for noncompetitive hiring status for up to two years. The Administration opposes eligibility for up to two years because the service requirements for this program are minimal. Therefore, we recommend making eligibility status one year, which is consistent with other Government-wide, non-competitive appointment authorities based on service outside of the Federal government.

The Department further suggests including language to ensure that time these former Corps members (both types) spent as full-time students does not accrue against the time period they have to use their noncompetitive hiring status. That way, college students who served in the Corps during the summer, for example, would be able to use their time period of noncompetitive status after they graduate from college.

While we support the noncompetitive hiring authority for all the different types of PLSC participants, we recommend including language to ensure that the participants have documented work experience within a legitimate program in order to be eligible for this authority. In the case of youth serving on PLSC projects through outside organizations, this could be achieved by specifying that the participants need to achieve the requisite hours of work within qualified youth or conservation corps programs as defined in Section 203 of the Act.

- *Agreements with Partners on Training and Employing Corps Members:* Finally, we recommend striking the provision in S. 1442 that would allow PLSC members to receive federally funded stipends and other PLSC benefits while working directly for non-Federal third parties. The need for this language is unclear, since agencies already have flexibility in how they coordinate work with cooperating associations, educational institutes, friends groups, or similar non-profit partnership organizations. Yet, the language could raise unanticipated concerns over accountabil-

ity, liability, and conflicts of interest. For example, this language could allow an individual to receive a federally funded stipend under a PLSC agreement, and then perform work for a different nonfederal group (such as a cooperating association) that is subject to agency oversight under different agreements. This language could blur the lines of responsibility that have been established in response to IG concerns over the management of cooperating associations and friends groups.

Mr. Chairman, that concludes my remarks. I would be happy to answer any questions you or the other members of the subcommittee have.

STATEMENT OF JOEL HOLTROP, DEPUTY CHIEF, NATIONAL FOREST SYSTEM, FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Good afternoon Mr. Chairman, Ranking Member Barrasso and members of the Subcommittee, thank you for the opportunity to testify before you today on S. 1442, the Public Lands Service Corps Act of 2009.

INTRODUCTION

On April 2, 2009, the Department testified in strong support of H.R. 1612 at a hearing on the House of Representatives version of the current bill. The Department strongly supports S. 1442. This bill would strengthen and facilitate the use of the Public Lands Corps program, helping to fulfill the vision that Secretary Vilsack has for reconnecting people to the land by promoting ways to engage youth across America to serve their community and their country. We have much work to do in restoring our forests, some of which can be achieved through the robust partnerships that this bill creates.

PUBLIC LANDS SERVICE CORPS ACT OF 2009

S. 1442 would strengthen and improve the Public Land Corps Act by making several administrative and programmatic changes that would encourage broader agency use of the program, as well as foster opportunities that are more varied for young men and women. The amendment would also enhance participant support for Corps enrollees during and after their service. Appropriately, S. 1442 would change the program's name to Public Lands Service Corps, reflecting an emphasis on "service."

Most projects implemented by the Forest Service's Volunteer,¹ Youth² and Hosted Programs³ in the national forests and grasslands are designed to address needs for maintenance and ecological restoration, while providing a service-learning opportunity for the enrolled youth. We fully expect those types of projects would continue to be

¹Youth aged 15 to 18 e.g. YCC

²Domestic and international

³Conservation partnerships with non-governmental organizations

completed under S. 1442. However, this amendment specifies a broader range of potential projects, making it likely that Corps members would become involved with the varied activities of the Forest Service mission including the Deputy Areas for Forestry Research and Development, National Forest Systems, State and Private Forestry and Business Operations.

FOREST SERVICE HISTORY AND INVOLVEMENT WITH CORPS AND YOUTH

Beginning in 1933 with Camp Roosevelt, the first Civilian Conservation Corps (CCC) camp located on the George Washington National Forest, the Forest Service has had a long and robust association with youth and young adult conservation corps. Indeed, the Forest Service Job Corps Program, authorized by Congress in 1964, is modeled after the CCC of the 1930(s). The Forest Service operates this program pursuant to an agreement with the Secretary of Labor.⁴ Since enactment of the Youth Conservation Corps Act of 1970 (Public Law 91-378), the Forest Service has sponsored the Youth Conservation Corps for young men and women age 16 through 18, who complete service-learning projects on National Forest System lands. Many current agency employees, inspired by their service-learning and association with the Forest Service, initiated their career aspirations through involvement with the Youth Conservation Corps.

The Department regards the Public Land Corps program as an important and successful example of civic engagement and conservation service for the Nation's youth. National Forest System lands are a place for Public Lands Service Corps participants to learn and practice an array of conservation, preservation, interpretation and cultural resource skills. Indeed, in forty-two states and Puerto Rico the Forest Service has already benefited greatly over the years from the service and volunteer work on National Forest System lands.

One example, the Rocky Mountain Youth Corps (RMYC), headquartered in Taos, NM, annually enrolls nearly 150 at-risk youth and has a long-standing partnership with the Carson National Forest. Through the Collaborative Forest Restoration Program (CFRP), authorized by Public Law 106-393, and designed to involve citizens and youth in the management and care of national forests and grasslands, 30 RMYC Corps members recently completed a three-year thinning project on the Carson National Forest. The purpose of the project was to reduce the risk of catastrophic wildfire, thereby making the area safer for homes and people. Throughout the project, Corps members received tangible training and experience. Many of the enrollees could go on to careers in forestry, wildlife and natural resource management.

⁴ Under the authority of Title 1-C of the Workforce Investment Act (WIA), which generally authorizes the Job Corps program, the Department of Labor transfers funds to the Forest Service to operate its Job Corps Centers.

Our second example is from the summer of 2009. The Wyoming Conservation Corps (WCC), housed within the University of Wyoming's School of Environment and Natural Resources, engaged more than 40 young people to clear dead trees from trails and campgrounds on the Medicine Bow National Forest. The service work was performed to make trails and campgrounds safer for visitor use and enjoyment. Following their experience with WCC, many of these young people expressed an interest in pursuing careers in land and natural resource management.

A third example is the Northwest Youth Corps. For over 20 years, the non-profit, community-based organization in Eugene, OR, has been a partner with the Forest Service, Bureau of Land Management, and other natural resource and land management agencies. This collaboration has provided service-learning opportunities for over 10,000 youth.

IMPLEMENTATION AND EXPERTISE

S. 1442 would grant the Secretary the discretion to establish residential conservation centers to include housing, food service, medical care, transportation, and other services associated with residential living arrangements. The Forest Service is uniquely situated to play a key role in the coordination and management of the residential conservation centers for the Public Lands Service Corps through its Job Corps Program. The Forest Service Job Corps Program would likely be the coordinating office for Public Lands Service Corps residential conservation centers in the Forest Service.

The Forest Service Job Corps Program has the institutional capacity to operate residential facilities successfully. However, there are a number of implementation issues that need to be considered in establishing new residential conservation centers. These include the costs of operating and maintaining the facilities, potential liability issues, and questions about the impact on contract and labor laws and the need for a structured behavior management program to ensure the health and safety of students and staff. In implementing the residential living centers authorized by the act, we intend to work closely with the Department of Labor to ensure that any new responsibilities and activities undertaken by the Forest Service Job Corps Program will neither divert Job Corps resources nor detract from carrying out the existing Job Corps program mission. In addition, we would appreciate the opportunity to work with the sponsors and the Subcommittee to address these implementation issues in the bill.

CONCLUSION

In conclusion, the Department of Agriculture welcomes S. 1442, which would increase the opportunity for Public Lands Service Corps members to leverage their education and work experience in obtaining permanent, full-time employment with Federal agencies. By completing service-

learning projects in the Public Lands Corps, a skilled cadre of young and diverse natural resource professionals would be available to meet some of the staffing needs of agencies. Mr. Chairman and Members of the Committee this concludes my prepared statement. I am happy to answer any questions that you or Members of the Committee may have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the Act H.R. 1612 as ordered 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 of the Youth Conservation Corps Act of 1970)

(Public Law 91–378, as amended by Public Law 103–82)

(16 U.S.C. 1721–1729)

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

[SEC. 201. SHORT TITLE.]

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

SEC. 201. SHORT TITLE; REFERENCE.

(a) *SHORT TITLE.*—*This title may be cited as the “Public Lands Service Corps Act of 1993”.*

(b) *REFERENCES.*—*Any reference contained in any law, regulation, document, paper, or other record of the United States to the “Public Lands Corps Act of 1993” shall be considered to be a reference to the “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 can benefit] *conservation 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 education and training, and their experience with conservation corps provides preparation for careers in public service.*

(3) Young men and women who participate in the rehabilitation and restoration of the natural, cultural, historic, archaeological, recreational, and scenic treasures of the United States will gain an increased appreciation and understanding of the public lands and heritage of the United States, 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 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—*

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

(2) to facilitate training and recruitment opportunities in which service is credited as qualifying experience for careers in the management of such resources;

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

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

(5) to assist State and local governments and Indian tribes in performing research and public education tasks associated with the conservation of natural, cultural, historic, archaeological, recreational, and scenic resources;

(6) to expand educational opportunities on public lands and by rewarding individuals who participate in conservation corps with an increased ability to pursue higher education and job training;

(7) to promote public understanding and appreciation of the missions and the natural and cultural resources conservation work of the participating Federal agencies through training opportunities, community service and outreach, and other appropriate means; and

(8) to create a grant program for Indian tribes to establish the Indian Youth Service Corps so that Indian youth can benefit from carrying out projects on Indian lands that the Indian tribes and communities determine to be priorities.

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.]

(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) CONSULTING INTERN.—The term “consulting intern” means a consulting intern selected under section 206(a)(2).

(3) CORPS AND PUBLIC LANDS SERVICE CORPS.—The terms “Corps” and “Public Lands Service Corps” mean the Public Lands Service Corps established under section 204(a).

(4) CORPS PARTICIPANT.—The term “corps participant” means an individual enrolled—

(A) in the Corps or the Indian Youth Service Corps; or

(B) as a resource assistant or consulting intern.

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

[(4)](6) 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)](7) 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)](8) 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. 1701 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)](9) 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.

(10) INDIAN YOUTH SERVICE CORPS.—*The term “Indian Youth Service Corps” means a qualified youth or conservation corps established under section 207 that—*

- (A) enrolls individuals between the ages of 15 and 25, inclusive, a majority of whom are Indians; and*
- (B) is established pursuant to a tribal resolution that describes the agreement between the Indian tribe and the qualified youth or conservation corps to operate an Indian Youth Service Corps program for the benefit of the members of the Indian tribe.*

[(8)](11) PRIORITY PROJECT.—The term “priority project” means an [appropriate conservation project] *appropriate natural and cultural resources conservation projects* 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.]

(12) PUBLIC LANDS.—*The term “public lands” means any land or water (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 Indian lands.*

[(10)](13) 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) is capable of offering meaningful, [full-time,] productive work for individuals between the ages of [16] 15 and 25, inclusive, in a natural or cultural resource setting on eligible service lands;

(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, all information pertaining to the expenditure of the funds, any matching funds, and participant demographics.

(14) RESIDENTIAL CONSERVATION CENTERS.—*The term “residential conservation centers” means the facilities authorized under section 205.*

[(11)](15) RESOURCE ASSISTANT.—The term “resource assistant” means a resource assistant selected under section [206] 206(a)(1).

[(12)](16) 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)](17) 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.

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

[(a) ESTABLISHMENT OF PUBLIC LANDS CORPS.—There is hereby established in the Department of the Interior and the Department of Agriculture a Public Lands Corps.]

(a) ESTABLISHMENT OF PUBLIC LANDS SERVICE CORPS.—There is established in the Department of the Interior, the Department of Agriculture, and the Department of Commerce a Public Lands Service Corps.

(b) ESTABLISHMENT OF CORPS OFFICE; COORDINATORS; LIAISON.—

(1) ESTABLISHMENT OF OFFICES.—

(A) DEPARTMENT OF THE INTERIOR.—The Secretary of the Interior shall establish a department-level office to coordinate the Corps activities within the Department of the Interior.

(B) DEPARTMENT OF AGRICULTURE.—The Secretary of Agriculture shall establish within the Forest Service an office to coordinate the Corps activities within that agency.

(C) DEPARTMENT OF COMMERCE.—The Secretary of Commerce shall establish within the National Oceanic and Atmospheric Administration an office to coordinate the Corps activities within that agency.

(2) ESTABLISHMENT OF COORDINATORS.—The Secretary shall designate a Public Lands Service Corps coordinator for each agency under the jurisdiction of the Secretary that administers Corps activities.

(3) ESTABLISHMENT OF LIAISON.—The Secretary of the Interior shall establish an Indian Youth Service Corps liaison that will—

(A) provide outreach to Indian tribes about opportunities for establishing Corps and Indian Youth Service Corps programs; and

(B) coordinate with the Tribal Liaison of the Corporation for National Service to identify and establish Corps and Indian Youth Service Corps opportunities for Indian youth.

[(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 of the Interior or the Secretary of Agriculture. 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 Secretaries may enroll such individuals in the Corps without regard to the civil service and classification laws, rules, or regulations of the United States. The Secretaries may establish a preference for the enrollment in the Corps of individuals who are economically, physically, or educationally disadvantaged.]

(c) PARTICIPANTS.—

(1) IN GENERAL.—The Secretary may enroll in the Corps individuals who are—

(A) hired by an agency under the jurisdiction of the Secretary to perform work authorized under this Act; or

(B) 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.

(2) *RESOURCE ASSISTANTS AND CONSULTING INTERNS.*—*The Secretary may also enroll in the Corps resource assistants and consulting interns in accordance with section 206(a).*

(3) *ELIGIBILITY REQUIREMENTS.*—*To be eligible for enrollment as a Corps participant, an individual shall—*

(A) *be between the ages of 15 and 25, inclusive; and*

(B) *satisfy the requirements of section 137(a)(5) of the National and Community Service Act of 1990 (42 U.S.C. 12591(a)(5)).*

(4) *TERMS.*—*Each Corps participant may be enrolled in the Corps for a term of up to 2 years of service, which may be served over a period that exceeds 2 calendar years.*

(5) *CIVIL SERVICE.*—*An individual may be enrolled as a Corps participant without regard to the civil service and classification laws, rules, or regulations of the United States.*

(6) *PREFERENCE.*—*The Secretary may establish a preference for the enrollment as Corps participants individuals who are economically, physically, or educationally disadvantaged.*

[(c)](d) *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 conservation projects] appropriate natural and cultural resources conservation projects referred to in [subsection (d)] subsection (f) of this section.*

[(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 priority 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.*]

(2) *RECRUITMENT.*—*The Secretary shall carry out, 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 and means.*

(3) *PREFERENCE.*—*In entering into cooperative agreements under paragraph (1) or awarding competitive grants to Indian tribes or tribally authorized organizations under section 207, the Secretary may give preference to qualified youth or conservation corps that are located in specific areas where a substantial portion of members are economically, physically, or educationally disadvantaged.*

(e) *TRAINING.*—

(1) *IN GENERAL.*—*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.

(2) *REQUIREMENTS.*—In establishing a training program under paragraph (1), the Secretary shall—

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

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

(i) resource stewardship;

(ii) health and safety;

(iii) ethics for individuals in public service;

(iv) teamwork and leadership; and

(v) interpersonal communications;

(C) direct the participating agencies within the Department of the Interior, the Forest Service in the case of the Department of Agriculture, and the National Oceanic and Atmospheric Administration in the case of the Department of Commerce, to develop agency-specific training guidelines to ensure that Corps participants are appropriately informed about matters specific to that agency, including—

(i) the history and organization of the agency;

(ii) the mission of the agency; and

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

(D) take into account training already received by Corps participants enrolled from qualified youth or conservation corps.

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

(1) **[IN GENERAL.—]***USE OF CORPS; PROJECTS.*—[The Secretary may utilize the Corps or any qualified youth or conservation corps to carry out]

(A) *IN GENERAL.*—The Secretary may use the Corps to carry out, with appropriate supervision and training, [appropriate conservation projects] appropriate natural and cultural resources conservation projects which the Secretary is authorized to carry out under other authority of law [on public lands] on eligible service lands.

(B) *PROJECTS.*—Appropriate natural and cultural resources conservation projects carried out under this section may include—

(i) protecting, restoring, or enhancing ecosystem components to promote species recovery, improve biological diversity, enhance productivity and carbon sequestration, and enhance adaptability and resilience of eligible service lands and resources to climate change and other natural and human disturbances;

(ii) promoting the health of eligible service lands, including—

(I) protecting and restoring watersheds and forest, grassland, riparian, estuarine, marine, or other habitat;

(II) *reducing the risk of uncharacteristically severe wildfire and mitigating damage from insects, disease, and disasters;*

(III) *controlling erosion;*

(IV) *controlling and removing invasive, noxious, or nonnative species; and*

(V) *restoring native species;*

(iii) *collecting biological, archaeological, and other scientific data, including climatological information, species populations and movement, habitat status, and other information;*

(iv) *assisting in historical and cultural research, museum curatorial work, oral history projects, documentary photography, and activities that support the creation of public works of art related to eligible service lands; and*

(v) *constructing, repairing, rehabilitating, and maintaining roads, trails, campgrounds and other visitor facilities, employee housing, cultural and historic sites and structures, and other facilities that further the purposes of this Act.*

(2) *VISITOR SERVICES.—The Secretary may—*

(A) *enter into or amend an existing cooperative agreement with a cooperating association, educational institution, friends group, or similar nonprofit partner organization for the purpose of providing training and work experience to Corps participants in areas such as sales, office work, accounting, and management, provided that the work experience directly relates to the conservation and management of eligible service lands; and*

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

(3) *INTERPRETATION.—The Secretary may permit Corps participants to provide interpretation or education services for the public under the direct and immediate supervision of an agency employee—*

(A) *to provide orientation and information services to visitors;*

(B) *to assist agency employees in the delivery of interpretive or educational programs where audience size, environmental conditions, safety, or other factors make such assistance desirable;*

(C) *to present programs that relate the personal experience of the Corps participants for the purpose of promoting public awareness of the Corps, the role of the Corps in public land management agencies, and the availability of the Corps to potential participants; and*

(D) *to create nonpersonal interpretive products, such as website 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 PROJECT.—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)](g) 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] *priority projects and other projects that—*

(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;]

(2) *will instill in Corps participants a work ethic and a sense of public service;*

(3) will be labor intensive;

(4) can be planned and initiated promptly; and

(5) will provide academic, experiential, or environmental education opportunities.

[(f)](h) 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.

(i) *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.*

(j) *CRIMINAL HISTORY CHECKS.—*

(1) *IN GENERAL.—The requirements of section 189D(b) of the National and Community Service Act of 1990 (42 U.S.C. 12645g(b)) shall apply to each individual age 18 or older seeking—*

(A) *to become a Corps participant;*

(B) *to receive funds authorized under this Act; or*

(C) *to supervise or otherwise have regular contact with Corps participants in activities authorized under this Act.*

(2) *ELIGIBILITY PROHIBITION.—If any of paragraphs (1) through (4) of section 189D(c) of the National and Community Service Act of 1990 (42 U.S.C. 12645g(c)(1)–(4)) apply to an individual described in paragraph (1), that individual shall not be eligible for the position or activity described in paragraph (1), unless the Secretary provides an exemption for good cause.*

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 Corps; and

[(B)] the conduct of appropriate conservation projects under this title.]

(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 Corps participants; and*

(B) *the conduct of appropriate natural and cultural resources conservation projects under this Act.*

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

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

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

(B) ensure that the standards established under subparagraph (A) are enforced.

[(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 local government agency] *another Federal agency, State, local government, or private organization to provide for the management of a [conservation center] residential conservation center.*

(b) LOGISTICAL SUPPORT.—[The Secretary]

(1) *IN GENERAL.*—*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) *TEMPORARY HOUSING.*—*The Secretary may make arrangements with another Federal agency, State, local government, or private organization to provide temporary housing for Corps participants as needed and available.*

(3) *TRANSPORTATION.*—*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.*

(c) USE OF MILITARY INSTALLATIONS.—The Secretary may make arrangements with the Secretary of Defense to identify military installations and other facilities of the Department of Defense and, in consultation with the adjutant generals of the State National Guards, National Guard facilities that may be used, in whole or in part, by the Corps for training or housing Corps participants.

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

(e) *MENTORS.*—*The Secretary may recruit from programs, such as Federal volunteer and encore service programs, and from veterans groups, military retirees, and active duty personnel, such adults as*

may be suitable and qualified to provide training, mentoring, and crew-leading services to Corps participants.

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

SEC. 206. RESOURCE ASSISTANTS AND CONSULTING INTERNS.

[(a) AUTHORIZATION.—The Secretary is authorized to provide, individual placements of resource assistants with any Federal land managing agency under the jurisdiction of the Secretary resource assistants 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.

[(b) USE OF EXISTING NONPROFIT ORGANIZATIONS.—Whenever one or more existing nonprofit organizations can provide, in the judgment of 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, 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. 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, to the mission of the agency.]

(a) AUTHORIZATION.—

(1) RESOURCE ASSISTANTS.—

(A) IN GENERAL.—*The Secretary may provide individual placements of resource assistants with any agency under the jurisdiction of the Secretary that carries out appropriate natural and cultural resources conservation projects to carry out research or resource protection activities on behalf of the agency.*

(B) ELIGIBILITY.—*To be eligible for selection as a resource assistant, an individual shall be at least 17 years of age.*

(C) PREFERENCE.—*In selecting resource assistants for placement under this paragraph, the Secretary shall give a preference to 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 ensuring full representation of women and participants from Historically Black Colleges and Universities, His-*

panic-serving institutions, and Tribal Colleges and Universities.

(2) CONSULTING INTERNS.—

(A) *IN GENERAL.*—The Secretary may provide individual placements of consulting interns with any agency under the jurisdiction of the Secretary that carries out appropriate natural and cultural resources conservation projects to carry out management analysis activities on behalf of the agency.

(B) *ELIGIBILITY.*—To be eligible for selection as a consulting intern, an individual shall be enrolled in, and have completed at least 1 full year at, a graduate or professional school that has been accredited by an accrediting body recognized by the Secretary of Education.

(b) USE OF EXISTING NONPROFIT ORGANIZATIONS.—

(1) *IN GENERAL.*—Whenever 1 or more nonprofit organizations can provide appropriate recruitment and placement services to fulfill the requirements of this section, the Secretary may implement this section through such organizations.

(2) *EXPENSES.*—Participating organizations shall contribute to the expenses of providing and supporting the resource assistants or consulting interns from sources of funding other than the Secretary, at a level of not less than 25 percent of the total costs (15 percent of which may be from in-kind sources) of each participant in the resource assistant or consulting intern program who has been recruited and placed through that organization.

(3) *REPORTING.*—Each participating organization shall be required to submit an annual report evaluating the scope, size, and quality of the program, including the value of work contributed by the resource assistants and consulting interns, to the mission of the agency.

SEC. 207. INDIAN YOUTH SERVICE CORPS.

(a) *AUTHORIZATION OF COOPERATIVE AGREEMENTS AND COMPETITIVE GRANTS.*—The Secretary is authorized to enter into cooperative agreements with, or make competitive grants to, Indian tribes and qualified youth or conservation corps for the establishment and administration of Indian Youth Service Corps programs to carry out appropriate natural and cultural resources conservation projects on Indian lands.

(b) *APPLICATION.*—To be eligible to receive assistance under this section, an Indian tribe or a qualified youth or conservation corps shall submit to the Secretary an application in such manner and containing such information as the Secretary may require, including—

(1) a description of the methods by which Indian youth will be recruited for and retained in the Indian Youth Service Corps;

(2) a description of the projects to be carried out by the Indian Youth Service Corps;

(3) a description of how the projects were identified; and

(4) an explanation of the impact of, and the direct community benefits provided by, the proposed projects.

SEC. 208. GUIDANCE.

Not later than 18 months after funds are made available to the Secretary to carry out this Act, the Secretary shall issue guidelines for the management of programs under the jurisdiction of the Secretary that are authorized under this Act.

SEC. [207] 209. LIVING ALLOWANCES AND TERMS OF SERVICE.

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

[(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.

[(c) **HIRING.**—The Secretary may—

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

[(2) provide to a former member of the Public Lands 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 Corps is complete.]

(a) **LIVING ALLOWANCES.**—

(1) **IN GENERAL.**—*The Secretary shall provide each Corps participant with a living allowance in an amount established by the Secretary.*

(2) **COST-OF-LIVING DIFFERENTIAL; TRAVEL COSTS.**—*The Secretary may—*

(A) apply a cost-of-living differential to the living allowances established under paragraph (1); and

(B) if the Secretary determines reimbursement to be appropriate, reimburse Corps participants for travel costs at the beginning and end of the term of service of the Corps participants.

(b) **TERMS OF SERVICE.**—

(1) **IN GENERAL.**—*Each Corps participant shall agree to participate for such term of service as may be established by the Secretary.*

(2) **CONSULTATIONS.**—*With respect to the Indian Youth Service Corps, the term of service shall be established in consultation with the affected Indian tribe or tribally authorized organization.*

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

(1) grant to a Corps participant credit for time served as a Corps participant, which may be used toward future Federal hiring;

(2) provide to a former participant of the Corps or the Indian Youth Service Corps noncompetitive hiring status for a period of not more than 2 years after the date on which the service of the candidate in the Corps or the Indian Youth Service Corps was complete, if the candidate—

(A) has served a minimum of 960 hours on an appropriate natural or cultural resources conservation project that included at least 120 hours through the Corps or the Indian Youth Service Corps; and

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

(3) provide to a former resource assistant or consulting intern noncompetitive hiring status for a period of not more than 2 years after the date on which the individual has completed an undergraduate or graduate degree, respectively, from an accredited institution, if the candidate—

(A) successfully fulfilled the resource assistant or consulting intern program requirements; and

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

(4) provide, or enter into contracts or 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 Corps participants who have completed the term of service.

SEC. [208] 210. NATIONAL SERVICE EDUCATIONAL AWARDS.

(a) **EDUCATIONAL BENEFITS AND AWARDS.**—If a [participant in the Public Lands Corps or a resource assistant] *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, the [participant or resource assistant] *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] *Corps participants*, 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] 211. 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 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.] *Corps participants*.

SEC. [210] 212. 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]** *sources other than the Secretary* in the form of funds, services, facilities, materials, equipment, or any combination of the foregoing. *The Secretary may pay up to 90 percent of the costs of a project if the Secretary determines that the reduction is necessary to enable participation from a greater range of organizations or individuals.* 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.

(2) **[PUBLIC LANDS] 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]** *Corps or Indian Youth Service Corps* and carrying out **[appropriate conservation projects]** *appropriate natural and cultural resources conservation projects* by the *Corps or Indian Youth Service Corps*. However, nothing in this title shall be construed to require any cost sharing for any project carried out directly by the *Corps or Indian Youth Service Corps*.

[(b) FUNDS AVAILABLE UNDER NATIONAL AND COMMUNITY SERVICE ACT.]—In order to carry out the Public Lands Corps or to support resource assistants 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.]

[(b) FUNDS AVAILABLE UNDER NATIONAL AND COMMUNITY SERVICE ACT.]—*To carry out this Act, the Secretary shall be eligible to apply for and receive assistance under section 121(b) of the National and Community Service Act (42 U.S.C. 12571(b)).*

(c) **OTHER FUNDS.**—Amounts appropriated pursuant to the authorization of appropriations under **[section 211]** *section 213* are in addition to amounts allocated to the **[Public Lands Corps]** *Corps or Indian Youth Service Corps* through other Federal programs or projects.

SEC. [211] 213. 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.]

[(a) IN GENERAL.]—*There are authorized to be appropriated such sums as may be necessary to carry out this Act.*

[(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.

