

108TH CONGRESS
2D SESSION

S. 2253

To permit young adults to perform projects to prevent fire and suppress fires, and provide disaster relief, on public land through a Healthy Forest Youth Conservation Corps.

IN THE SENATE OF THE UNITED STATES

MARCH 29, 2004

Mrs. FEINSTEIN (for herself, Mr. DOMENICI, Mrs. BOXER, and Mr. DAYTON) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To permit young adults to perform projects to prevent fire and suppress fires, and provide disaster relief, on public land through a Healthy Forest Youth Conservation Corps.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Healthy Forest Youth
5 Conservation Corps Act of 2004”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) the natural fire regimes of forested public
2 land have been altered by intensive fire suppression;

3 (2) fire suppression has led to increased risk of
4 unnaturally severe wildfires that in recent years have
5 destroyed thousands of homes, devastated agricul-
6 tural crops and livestock, reduced biodiversity, and
7 scorched thousands of areas of soil and natural re-
8 sources;

9 (3) catastrophic wildfires pose a particular
10 threat to communities and wildlife living close to for-
11 ested wildland, known as the “wildland-urban inter-
12 face”;

13 (4) each year millions of public dollars are
14 spent to fight severe wildfires and protect commu-
15 nities where municipal water supplies, human lives,
16 and property are threatened;

17 (5) cooperative agreements between public
18 agencies empower communities and are cost-effective
19 tools that provide positive social and environmental
20 benefits;

21 (6) cooperative agreements should be encour-
22 aged to prevent unnaturally severe fires, rehabilitate
23 public land affected or altered by fires, and enhance
24 and maintain environmentally important land and
25 water; and

1 (7) joint collaborations between the public agen-
2 cies and service and conservation corps are particu-
3 larly beneficial, as the collaborations provide—

4 (A) young adults the opportunity to pre-
5 pare for productive lives while engaged in
6 meaningful and educational public service op-
7 portunities; and

8 (B) the public with cost-saving human re-
9 sources to assist in conserving, maintaining,
10 and protecting public land.

11 **SEC. 3. PURPOSES.**

12 The purposes of this Act are—

13 (1) to allow service and conservation corps to
14 contract directly with public land management agen-
15 cies to perform rehabilitation and enhancement
16 projects to prevent fire, rehabilitate public land af-
17 fected or altered by fires, and suppress fires, and
18 provide disaster relief;

19 (2) to offer young adults, ages 16 through 25,
20 particularly those who are at-risk or economically
21 disadvantaged, the opportunity to gain productive
22 employment;

23 (3) to provide those young adults the oppor-
24 tunity to serve their communities and their country;
25 and

1 (4) to expand educational opportunities by re-
 2 warding individuals who participate in the Healthy
 3 Forest Youth Conservation Corps with an increased
 4 ability to pursue higher education or employment.

5 **SEC. 4. HEALTHY FOREST YOUTH CONSERVATION CORPS.**

6 (a) ESTABLISHMENT.—There is established a
 7 Healthy Forest Youth Conservation Corps.

8 (b) PARTICIPANTS.—The Corps shall consist of low-
 9 income young adults who are enrolled as members of a
 10 service and conservation corps.

11 (c) CONTRACTS OR AGREEMENTS.—The Secretary
 12 may enter into contracts or cooperative agreements di-
 13 rectly with—

14 (1) any service and conservation corps to carry
 15 out rehabilitation and enhancement projects to pre-
 16 vent fire and suppress fires, rehabilitate public land
 17 affected or altered by fires, and provide disaster re-
 18 lief; or

19 (2) a department of natural resources, agri-
 20 culture, or forestry (or an equivalent department) of
 21 any State that has entered into a contract or cooper-
 22 ative agreement with a service and conservation
 23 corps to carry out a project described in paragraph
 24 (1).

25 (d) PROJECTS.—

1 (1) IN GENERAL.—The Secretary may enter
2 into contracts or cooperative agreements with service
3 and conservation corps to carry out rehabilitation
4 and enhancement projects to prevent fire and sup-
5 press fires, rehabilitate public land affected or al-
6 tered by fires, and provide disaster relief, includ-
7 ing—

8 (A) a project relating to the National Fire
9 Plan;

10 (B) a project relating to the Healthy For-
11 ests Restoration Act of 2003 (16 U.S.C. 6501
12 et seq.); and

13 (C) other activities allowed under—

14 (i) a national forest and grassland
15 land management plan; or

16 (ii) a Bureau of Land Management
17 land use plan.

18 (2) PRIORITY.—In entering into contractual or
19 cooperative agreements with service and conservation
20 corps under paragraph (1), each Secretary shall give
21 priority to projects that will—

22 (A) reduce hazardous fuels on public land;

23 (B) restore public land affected or immi-
24 nently threatened by disease or insect infesta-
25 tion;

1 (C) rehabilitate public land affected or al-
2 tered by fires;

3 (D) assess windthrown public land or pub-
4 lic land at high risk of reburn;

5 (E) work to address public land located
6 within relative proximity to a municipal water-
7 shed and municipal water supply;

8 (F) provide related emergency assistance,
9 such as natural disaster relief and the rescue of
10 lost or injured persons;

11 (G) instill in members of the service and
12 conservation corps a work ethic, and a sense of
13 personal responsibility;

14 (H) be labor-intensive; and

15 (I) be planned and initiated promptly.

16 (e) SUPPORTIVE SERVICES.—Each Secretary may
17 provide such services as the Secretary considers to be nec-
18 essary to carry out this Act.

19 (f) TECHNICAL ASSISTANCE.—To carry out this Act,
20 the Secretaries shall provide technical assistance, over-
21 sight, monitoring, and evaluation to or for—

22 (1) State departments of natural resources and
23 agriculture (or equivalent agencies);

24 (2) service and conservation corps;

1 (3) in the case of Indian lands, the applicable
2 Indian tribe;

3 (4) in the case of Hawaiian home lands, the ap-
4 plicable State agency in the State of Hawaii; and

5 (5) in the case of land under the jurisdiction of
6 an Alaska Native Corporation, the applicable Alaska
7 Native Corporation.

8 **SEC. 5. USE OF FUNDS.**

9 Funds made available under this Act may be used
10 to support implementation, monitoring, training, technical
11 assistance, and administrative work of local and State con-
12 servation corps that have entered into cooperative agree-
13 ments with public land management agencies.

14 **SEC. 6. NONCOMPETITIVE HIRING STATUS.**

15 Each Secretary may grant credit for time served to-
16 ward future Federal hiring, and provide noncompetitive
17 hiring status, for former members of the Corps for not
18 more than 120 days after service is complete.

19 **SEC. 7. NONDISPLACEMENT.**

20 The nondisplacement requirements of section 177(b)
21 of the National and Community Service Act of 1990 (42
22 U.S.C. 12637(b)) shall apply to activities carried out by
23 the Corps under this Act.

24 **SEC. 8. DEFINITIONS.**

25 In this Act:

1 (1) ALASKA NATIVE CORPORATION.—The term
2 “Alaska Native Corporation” means a Regional Cor-
3 poration or Village Corporation, as those terms are
4 defined in section 3 of the Alaska Native Claims
5 Settlement Act (43 U.S.C. 1602).

6 (2) CORPS.—The term “Corps” means the
7 Healthy Forest Youth Conservation Corps estab-
8 lished under section 4.

9 (3) HAWAIIAN HOME LANDS.—The term “Ha-
10 waiian home lands” has the meaning given the term
11 in section 203 of Public Law 91–378 (commonly
12 known as the “Youth Conservation Corps Act of
13 1970”) (16 U.S.C. 1722).

14 (4) INDIAN LANDS.—The term “Indian lands”
15 has the meaning given the term in section 203 of
16 Public Law 91–378 (commonly known as the
17 “Youth Conservation Corps Act of 1970”) (16
18 U.S.C. 1722).

19 (5) PUBLIC LAND.—The term “public land”
20 means—

21 (A) land of the National Forest System (as
22 defined in section 11(a) of the Forest and
23 Rangeland Renewable Resources Planning Act
24 of 1974 (16 U.S.C. 1609(a))) administered by

1 the Secretary of Agriculture, acting through the
2 Chief of the Forest Service;

3 (B) public lands (as defined in section 103
4 of the Federal Land Policy and Management
5 Act of 1976 (43 U.S.C. 1702)), the surfaces of
6 which are administered by the Secretary of the
7 Interior, acting through the Director of the Bu-
8 reau of Land Management;

9 (C) public lands, the surfaces of which are
10 administered by the Secretary of the Interior,
11 acting through the Director of the United
12 States Fish and Wildlife Service;

13 (D) land owned by a State or local agency;

14 (E) Indian lands, with the approval of the
15 applicable Indian tribe;

16 (F) Hawaiian home lands, with the ap-
17 proval of the applicable State agency in the
18 State of Hawaii; and

19 (G) land under the jurisdiction of an Alas-
20 ka Native Corporation, with the approval of the
21 applicable Alaska Native Corporation.

22 (6) SECRETARY.—The term “Secretary”
23 means—

1 (A) the Secretary of Agriculture, with re-
 2 spect to land of the National Forest System de-
 3 scribed in paragraph (5)(A);

4 (B) the Secretary of the Interior, with re-
 5 spect to public lands described in paragraph
 6 (5)(B); and

7 (C) the Secretary of Agriculture and the
 8 Secretary of the Interior jointly, with respect to
 9 land owned by a State or local agency described
 10 in paragraph (5)(C).

11 (7) SERVICE AND CONSERVATION CORPS.—The
 12 term “service and conservation corps” means any or-
 13 ganization established by a State or local govern-
 14 ment, nonprofit organization, or Indian tribe that—

15 (A) has a research-validated demonstrable
 16 capability to provide productive work to individ-
 17 uals;

18 (B) gives participants a combination of
 19 work experience, basic and life skills, education,
 20 training, and support services; and

21 (C) provides participants with the oppor-
 22 tunity to develop citizenship values through
 23 service to their communities and the United
 24 States.

25 (8) STATE.—The term “State” means—

- 1 (A) a State;
- 2 (B) the District of Columbia;
- 3 (C) the Commonwealth of Puerto Rico;
- 4 (D) Guam;
- 5 (E) American Samoa;
- 6 (F) the Commonwealth of the Northern
- 7 Mariana Islands;
- 8 (G) the Federated States of Micronesia;
- 9 (H) the Republic of the Marshall Islands;
- 10 (I) the Republic of Palau; and
- 11 (J) the United States Virgin Islands.

12 (9) YOUNG ADULTS.—The term “young adults”
13 means individuals between 16 and 25 years of age.

14 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

15 There is authorized to be appropriated to carry out
16 this Act \$25,000,000 for each of fiscal years 2005 through
17 2009.

