

Union Calendar No. 149

109TH CONGRESS
1ST SESSION

H. R. 2875

[Report No. 109–273, Part I]

To amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2005

Mr. WALDEN of Oregon (for himself and Mr. UDALL of New Mexico) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committees on Agriculture and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

NOVEMBER 7, 2005

Reported from the Committee on Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

NOVEMBER 7, 2005

Committees on Agriculture and Education and the Workforce discharged; committed to the Committee of the Whole House on the State of the Union

[For text of introduced bill, see copy of bill as introduced on June 14, 2005]

A BILL

To amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Public Lands Corps*
5 *Healthy Forests Restoration Act of 2005”.*

6 **SEC. 2. AMENDMENTS TO THE PUBLIC LANDS CORPS ACT**
7 **OF 1993.**

8 *(a) DEFINITIONS.—Section 203 of the Public Lands*
9 *Corps Act of 1993 (16 U.S.C. 1722) is amended—*

10 *(1) by redesignating paragraphs (8), (9), (10),*
11 *and (11) as paragraphs (9), (10), (11), and (13), re-*
12 *spectively;*

13 *(2) by inserting after paragraph (7) the fol-*
14 *lowing:*

15 *“(8) PRIORITY PROJECT.—The term ‘priority*
16 *project’ means an appropriate conservation project*
17 *conducted on eligible service lands to further 1 or*
18 *more of the purposes of the Healthy Forests Restora-*
19 *tion Act of 2003 (16 U.S.C. 6501 et seq.), as follows:*

20 *“(A) To reduce wildfire risk to a commu-*
21 *nity, municipal water supply, or other at-risk*
22 *Federal land.*

23 *“(B) To protect a watershed or address a*
24 *threat to forest and rangeland health, including*
25 *catastrophic wildfire.*

1 “(C) *To address the impact of insect or dis-*
2 *ease infestations or other damaging agents on*
3 *forest and rangeland health.*

4 “(D) *To protect, restore, or enhance forest*
5 *ecosystem components to—*

6 “(i) *promote the recovery of threatened*
7 *or endangered species;*

8 “(ii) *improve biological diversity; or*

9 “(iii) *enhance productivity and carbon*
10 *sequestration.*”; and

11 (3) *by inserting after paragraph (11) (as redes-*
12 *ignated by paragraph (1)) the following:*

13 “(12) *SECRETARY.—The term ‘Secretary’*
14 *means—*

15 “(A) *with respect to National Forest System*
16 *land, the Secretary of Agriculture; and*

17 “(B) *with respect to Indian lands, Hawai-*
18 *ian home lands, or land administered by the De-*
19 *partment of the Interior, the Secretary of the In-*
20 *terior.*”.

21 (b) *QUALIFIED YOUTH OR CONSERVATION CORPS.—*
22 *Section 204(c) of the Public Lands Corps Act of 1993 (16*
23 *U.S.C. 1723(c)) is amended—*

1 (1) by striking “The Secretary of the Interior
2 and the Secretary of Agriculture are” and inserting
3 the following:

4 “(1) *IN GENERAL.—The Secretary is*”; and

5 (2) by adding at the end the following:

6 “(2) *PREFERENCE.—*

7 “(A) *IN GENERAL.—For purposes of enter-*
8 *ing into contracts and cooperative agreements*
9 *under paragraph (1), the Secretary may give*
10 *preference to qualified youth or conservation*
11 *corps located in a specific area that have a sub-*
12 *stantial portion of members who are economi-*
13 *cally, physically, or educationally disadvantaged*
14 *to carry out projects within the area.*

15 “(B) *PRIORITY PROJECTS.—In carrying out*
16 *priority projects in a specific area, the Secretary*
17 *shall, to the maximum extent practicable, give*
18 *preference to qualified youth or conservation*
19 *corps located in that specific area that have a*
20 *substantial portion of members who are economi-*
21 *cally, physically, or educationally disadvan-*
22 *taged.”.*

23 (c) *CONSERVATION PROJECTS.—Section 204(d) of the*
24 *Public Lands Corps Act of 1993 (16 U.S.C. 1723(d)) is*
25 *amended—*

1 (1) *in the first sentence—*

2 (A) *by striking “The Secretary of the Inte-*
3 *rior and the Secretary of Agriculture may each”*
4 *and inserting the following:*

5 “*(1) IN GENERAL.—The Secretary may*”; and

6 (B) *by striking “such Secretary” and in-*
7 *serting “the Secretary”;*

8 (2) *in the second sentence, by striking “Appro-*
9 *priate conservation” and inserting the following:*

10 “*(2) PROJECTS ON INDIAN LANDS.—Appropriate*
11 *conservation*”; and

12 (3) *by striking the third sentence and inserting*
13 *the following:*

14 “*(3) DISASTER PREVENTION OR RELIEF*
15 *PROJECTS.—The Secretary may authorize appro-*
16 *priate conservation projects and other appropriate*
17 *projects to be carried out on Federal, State, local, or*
18 *private land as part of a Federal disaster prevention*
19 *or relief effort.”.*

20 (d) *CONSERVATION CENTERS AND PROGRAM SUP-*
21 *PORT.—Section 205 of the Public Lands Corps Act of 1993*
22 *(16 U.S.C. 1724) is amended—*

23 (1) *by striking the heading and inserting the fol-*
24 *lowing:*

1 **“SEC. 205. CONSERVATION CENTERS AND PROGRAM SUP-**
2 **PORT.”;**

3 (2) *by striking subsection (a) and inserting the*
4 *following:*

5 “(a) *ESTABLISHMENT AND USE.—*

6 “(1) *IN GENERAL.—The Secretary may establish*
7 *and use conservation centers owned and operated by*
8 *the Secretary for—*

9 “(A) *use by the Public Lands Corps; and*

10 “(B) *the conduct of appropriate conserva-*
11 *tion projects under this title.*

12 “(2) *ASSISTANCE FOR CONSERVATION CEN-*
13 *TERS.—The Secretary may provide to a conservation*
14 *center established under paragraph (1) any services,*
15 *facilities, equipment, and supplies that the Secretary*
16 *determines to be necessary for the conservation center.*

17 “(3) *STANDARDS FOR CONSERVATION CEN-*
18 *TERS.—The Secretary shall—*

19 “(A) *establish basic standards of health, nu-*
20 *trition, sanitation, and safety for all conserva-*
21 *tion centers established under paragraph (1);*
22 *and*

23 “(B) *ensure that the standards established*
24 *under subparagraph (A) are enforced.*

25 “(4) *MANAGEMENT.—As the Secretary deter-*
26 *mines to be appropriate, the Secretary may enter into*

1 *a contract or other appropriate arrangement with a*
2 *State or local government agency or private organiza-*
3 *tion to provide for the management of a conservation*
4 *center.”; and*

5 *(3) by adding at the end the following:*

6 “(d) *ASSISTANCE.—The Secretary may provide any*
7 *services, facilities, equipment, supplies, technical assistance,*
8 *oversight, monitoring, or evaluations that are appropriate*
9 *to carry out this title.”.*

10 *(e) LIVING ALLOWANCES AND TERMS OF SERVICE.—*
11 *Section 207 of the Public Lands Corps Act of 1993 (16*
12 *U.S.C. 1726) is amended—*

13 *(1) by striking subsection (a) and inserting the*
14 *following:*

15 “(a) *LIVING ALLOWANCES.—The Secretary shall pro-*
16 *vide each participant in the Public Lands Corps and each*
17 *resource assistant with a living allowance in an amount*
18 *established by the Secretary.”; and*

19 *(2) by adding at the end the following:*

20 “(c) *HIRING.—The Secretary may—*

21 *(1) grant to a member of the Public Lands*
22 *Corps credit for time served with the Public Lands*
23 *Corps, which may be used toward future Federal hir-*
24 *ing; and*

1 “(2) provide to a former member of the Public
2 Lands Corps noncompetitive hiring status for a pe-
3 riod of not more than 120 days after the date on
4 which the member’s service with the Public Lands
5 Corps is complete.”.

6 (f) *FUNDING.*—*The Public Lands Corps Act of 1993*
7 *is amended—*

8 (1) *in section 210 (16 U.S.C. 1729), by adding*
9 *at the end the following:*

10 “(c) *OTHER FUNDS.*—*Amounts appropriated pursu-*
11 *ant to the authorization of appropriations under section*
12 *211 are in addition to amounts allocated to the Public*
13 *Lands Corps through other Federal programs or projects.”;*
14 *and*

15 (2) *by inserting after section 210 the following:*

16 **“SEC. 211. AUTHORIZATION OF APPROPRIATIONS.**

17 “(a) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
18 *authorized to be appropriated to carry out this title*
19 *\$15,000,000 for each of the fiscal years 2007 through 2011.*
20 *Of the amounts appropriated for any fiscal year to carry*
21 *out this title, not less than two-thirds shall be used to con-*
22 *duct priority projects.*

23 “(b) *AVAILABILITY OF FUNDS.*—*Notwithstanding any*
24 *other provision of law, amounts appropriated for any fiscal*
25 *year to carry out this title shall remain available for obliga-*

1 *tion and expenditure until the end of the fiscal year fol-*
2 *lowing the fiscal year for which the amounts are appro-*
3 *priated.”.*

4 (g) *CONFORMING AMENDMENTS.—The Public Lands*
5 *Corps Act of 1993 is amended—*

6 (1) *in section 204 (16 U.S.C. 1723)—*

7 (A) *in subsection (b)—*

8 (i) *in the first sentence, by striking*
9 *“Secretary of the Interior or the Secretary*
10 *of Agriculture” and inserting “Secretary”;*

11 (ii) *in the third sentence, by striking*
12 *“Secretaries” and inserting “Secretary”;*
13 *and*

14 (iii) *in the fourth sentence, by striking*
15 *“Secretaries” and inserting “Secretary”;*
16 *and*

17 (B) *in subsection (e), by striking “Secretary*
18 *of the Interior and the Secretary of Agriculture”*
19 *and inserting “Secretary”;*

20 (2) *in section 205 (16 U.S.C. 1724)—*

21 (A) *in subsection (b), by striking “Secretary*
22 *of the Interior and the Secretary of Agriculture”*
23 *and inserting “Secretary”; and*

1 (B) in subsection (c), by striking “Secretary
2 of the Interior and the Secretary of Agriculture”
3 and inserting “Secretary”;

4 (3) in section 206 (16 U.S.C. 1725)—

5 (A) in subsection (a)—

6 (i) in the first sentence—

7 (I) by striking “Secretary of the
8 Interior and the Secretary of Agri-
9 culture are each” and inserting “Sec-
10 retary is”; and

11 (II) by striking “such Secretary”
12 and inserting “the Secretary”;

13 (ii) in the third sentence, by striking
14 “Secretaries” and inserting “Secretary”;
15 and

16 (iii) in the fourth sentence, by striking
17 “Secretaries” and inserting “Secretary”;
18 and

19 (B) in the first sentence of subsection (b), by
20 striking “Secretary of the Interior or the Sec-
21 retary of Agriculture” and inserting “the Sec-
22 retary”; and

23 (4) in section 210 (16 U.S.C. 1729)—

24 (A) in subsection (a)—

- 1 (i) in paragraph (1), by striking “Sec-
2 retary of the Interior and the Secretary of
3 Agriculture are each” and inserting “Sec-
4 retary is”; and
- 5 (ii) in paragraph (2), by striking
6 “Secretary of the Interior and the Secretary
7 of Agriculture are each” and inserting “Sec-
8 retary is”; and
- 9 (B) in subsection (b), by striking “Secretary
10 of the Interior and the Secretary of Agriculture”
11 and inserting “Secretary”.

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