

Calendar No. 244

109TH CONGRESS
1ST SESSION**S. 1238****[Report No. 109–152]**

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 SENATE OF THE UNITED STATES

JUNE 14, 2005

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

OCTOBER 19, 2005

Reported by Mr. DOMENICI, with amendments

[Omit the part struck through and insert the part printed in *italie*]

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”.

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

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

5 (1) by redesignating paragraphs (8), (9), (10),
6 and (11) as paragraphs (9), (10), (11), and (13), re-
7 spectively;

8 (2) by inserting after paragraph (7) the fol-
9 lowing:

10 “(8) PRIORITY PROJECT.—The term ‘priority
11 project’ means an appropriate conservation project
12 conducted on eligible service lands to further 1 or
13 more of the purposes of the Healthy Forests Res-
14 toration Act of 2003 (16 U.S.C. 6501 et seq.), as
15 follows:

16 “(A) To reduce wildfire risk to a commu-
17 nity, municipal water supply, or other at-risk
18 Federal land.

19 “(B) To protect a watershed or address a
20 threat to forest and rangeland health, including
21 catastrophic wildfire.

22 “(C) To address the impact of insect or
23 disease infestations or other damaging agents
24 on forest and rangeland health.

25 “(D) To protect, restore, or enhance forest
26 ecosystem components to—

1 “(i) promote the recovery of threat-
 2 ened or endangered species;

3 “(ii) improve biological diversity; or

4 “(iii) enhance productivity and carbon
 5 sequestration.”; and

6 (3) by inserting after paragraph (11) (as redes-
 7 igned by paragraph (1)) the following:

8 “(12) SECRETARY.—The term ‘Secretary’
 9 means—

10 “(A) with respect to National Forest Sys-
 11 tem land, the Secretary of Agriculture; and

12 “(B) with respect to Indian lands, Hawai-
 13 ian home lands, or land administered by the
 14 Department of the Interior, the Secretary of the
 15 Interior.”.

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

19 (1) by striking “The Secretary of the Interior
 20 and the Secretary of Agriculture are” and inserting
 21 the following:

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

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

24 “(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.”.

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

(1) in the first sentence—

(A) by striking “The Secretary of the Interior and the Secretary of Agriculture may each” and inserting the following:

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

1 (B) by striking “such Secretary” and in-
 2 serting “the Secretary”;

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

5 “(2) PROJECTS ON INDIAN LANDS.—Appro-
 6 priate conservation”; and

7 (3) by striking the third sentence and inserting
 8 the following:

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

15 (d) CONSERVATION CENTERS AND PROGRAM SUP-
 16 PORT.—Section 205 of the Public Lands Corps Act of
 17 1993 (16 U.S.C. 1724) is amended—

18 (1) by striking the heading and inserting the
 19 following:

20 **“SEC. 205. CONSERVATION CENTERS AND PROGRAM SUP-
 21 PORT.”;**

22 (2) by striking subsection (a) and inserting the
 23 following:

24 “(a) ESTABLISHMENT AND USE.—

1 “(1) IN GENERAL.—The Secretary may estab-
2 lish and use conservation centers owned and oper-
3 ated by the Secretary for—

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

5 “(B) the conduct of appropriate conserva-
6 tion projects under this title.

7 “(2) ASSISTANCE FOR CONSERVATION CEN-
8 TERS.—The Secretary may provide to a conservation
9 center established under paragraph (1) any services,
10 facilities, equipment, and supplies that the Secretary
11 determines to be necessary for the conservation cen-
12 ter.

13 “(3) STANDARDS FOR CONSERVATION CEN-
14 TERS.—The Secretary shall—

15 “(A) establish basic standards of health,
16 nutrition, sanitation, and safety for all con-
17 servations centers established under paragraph
18 (1); and

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

21 “(4) MANAGEMENT.—As the Secretary deter-
22 mines to be appropriate, the Secretary may enter
23 into a contract or other appropriate arrangement
24 with a State or local government agency or private

1 organization to provide for the management of a
2 conservation center.”; and

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

4 “(d) ASSISTANCE.—The Secretary may provide any
5 services, facilities, equipment, supplies, technical assist-
6 ance, oversight, monitoring, or evaluations that are appro-
7 priate to carry out this title.”.

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

11 (1) by striking subsection (a) and inserting the
12 following:

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

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

18 “(c) HIRING.—The Secretary may—

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

23 “(2) provide to a former member of the Public
24 Lands Corps noncompetitive hiring status for a pe-
25 riod of not more than 120 days after the date on

1 which the member’s service with the Public Lands
2 Corps is complete.”.

3 (f) FUNDING.—The Public Lands Corps Act of 1993
4 is amended—

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

7 “(c) OTHER FUNDS.—Amounts appropriated pursu-
8 ant to the authorization of appropriations under section
9 211 are in addition to amounts allocated to the Public
10 Lands Corps through other Federal programs or
11 projects.”; and

12 (2) by inserting after section 210 the following:

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

14 “(a) IN GENERAL.—There is authorized to be appro-
15 priated to carry out this title \$15,000,000 for each fiscal
16 year, of which \$10,000,000 is authorized to carry out pri-
17 ority projects.

18 “(b) *DISASTER RELIEF OR PREVENTION PROJECTS.*—
19 *Notwithstanding subsection (a), any amounts made avail-*
20 *able under that subsection shall be available for disaster*
21 *prevention or relief projects.*

22 “~~(b)~~ (c) AVAILABILITY OF FUNDS.—Notwithstanding
23 any other provision of law, amounts appropriated for any
24 fiscal year to carry out this title shall remain available
25 for obligation and expenditure until the end of the fiscal

1 year following the fiscal year for which the amounts are
 2 appropriated.”.

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

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

6 (A) in subsection (b)—

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

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

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

16 (B) in subsection (e), by striking “Sec-
 17 retary of the Interior and the Secretary of Agri-
 18 culture” and inserting “Secretary”;

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

20 (A) in subsection (b), by striking “Sec-
 21 retary of the Interior and the Secretary of Agri-
 22 culture” and inserting “Secretary”; and

23 (B) in subsection (c), by striking “Sec-
 24 retary of the Interior and the Secretary of Agri-
 25 culture” and inserting “Secretary”;

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

2 (A) in subsection (a)—

3 (i) in the first sentence—

4 (I) by striking “Secretary of the
5 Interior and the Secretary of Agri-
6 culture are each” and inserting “Sec-
7 retary is”; and

8 (II) by striking “such Secretary”
9 and inserting “the Secretary”;

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

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

16 (B) in the first sentence of subsection (b),
17 by striking “Secretary of the Interior or the
18 Secretary of Agriculture” and inserting “the
19 Secretary”; and

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

21 (A) in subsection (a)—

22 (i) in paragraph (1), by striking “Sec-
23 retary of the Interior and the Secretary of
24 Agriculture are each” and inserting “Sec-
25 retary is”; and

- 1 (ii) in paragraph (2), by striking
2 “Secretary of the Interior and the Sec-
3 retary of Agriculture are each” and insert-
4 ing “Secretary is”; and
5 (B) in subsection (b), by striking “Sec-
6 retary of the Interior and the Secretary of Agri-
7 culture” and inserting “Secretary”.

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