

21ST CENTURY CONSERVATION SERVICE CORPS ACT

DECEMBER 6, 2018.—Ordered to be printed

Mr. BISHOP of Utah, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 2987]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2987) to amend the Public Lands Corps Act of 1993 to establish the 21st Century Conservation Service Corps to place youth and veterans in national service positions to conserve, restore, and enhance the great outdoors of the United States, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “21st Century Conservation Service Corps Act”.

SEC. 2. PURPOSES.

Section 202 of the Public Lands Corps Act of 1993 (16 U.S.C. 1721) is amended to read as follows:

“SEC. 202. PURPOSES.

“The purposes of this title are—

“(1) to engage youth and veterans in the United States in civilian national service positions to conserve, rebuild, and enhance the outdoors, natural resources, infrastructure, and recreation assets of the United States;

“(2) to increase public access to, and use of, public and tribal land and water, infrastructure, and natural, cultural, and historical resources and treasures, while spurring economic development and outdoor recreation and addressing backlogged maintenance on public land;

“(3) to conserve, restore, and enhance public and tribal land and water, infrastructure, and natural, cultural, and historical resources and treasures by carrying out high-quality, cost-effective 21st Century Conservation Service Corps projects;

“(4) to ensure that, in any State or territory of the United States or on any tribal land, the activities and expertise of Corpsmembers will be accessible to any public organization, nonprofit organization, or tribal agency responsible for the stewardship of land and water that is—

- “(A) public;
- “(B) tribal; or
- “(C) private and has a direct or recognized public benefit, in coordination with the owner of the land or water;
- “(5) to place youth and veterans in civilian national service positions to protect, restore, and enhance the great outdoors, natural resources, infrastructure, and recreation assets of the United States in a cost-effective manner without undue duplication or overlap of activities or programs carried out by Federal agencies;
- “(6) to provide youth and veterans placed in civilian national service positions with opportunities to gain in-demand skills, credentials, and education to prepare for, and transition to, success in the 21st century workforce; and
- “(7) to channel widespread interest among youth and veterans in serving in civilian national service positions to help conserve, restore, and enhance public and tribal land and water, infrastructure, and natural, cultural, and historical resources and treasures—
 - “(A) for the enjoyment and use of future generations; and
 - “(B) to develop the next generation of outdoor stewards, entrepreneurs, recreationists, and sportsmen and sportswomen.”.

SEC. 3. DEFINITIONS.

(a) IN GENERAL.—Section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722) is amended to read as follows:

“SEC. 203. DEFINITIONS.

“In this title:

- “(1) 21CSC.—The term ‘21CSC’ means the 21st Century Conservation Service Corps established by section 204(a).
- “(2) 21CSC ORGANIZATION.—The term ‘21CSC organization’ means an organization or association that meets the requirements described in section 204(d).
- “(3) 21CSC PROJECT.—The term ‘21CSC project’ means a project that is carried out by a 21CSC organization.
- “(4) CORPSMEMBER.—The term ‘Corpsmember’ means an individual who is selected by a 21CSC organization to serve on a 21CSC project.
- “(5) INDIAN.—The term ‘Indian’ has the meaning given the term in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).
- “(6) INDIAN YOUTH 21ST CENTURY CONSERVATION SERVICE CORPS.—The term ‘Indian Youth 21st Century Conservation Service Corps’ means a program of a 21CSC organization that—
 - “(A) enrolls participants, the majority of whom are Indians; and
 - “(B) is established pursuant to an agreement between a tribal agency and a 21CSC organization for the benefit of the members of the tribal agency.
- “(7) INSTITUTION OF HIGHER EDUCATION.—
 - “(A) IN GENERAL.—The term ‘institution of higher education’ has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).
 - “(B) EXCLUSION.—The term ‘institution of higher education’ does not include an institution outside the United States, as described in section 102(a)(1)(C) of that Act (20 U.S.C. 1002(a)(1)(C)).
- “(8) PARTICIPATING ENTITY.—The term ‘participating entity’ means a Federal entity described in section 204(c)(2).
- “(9) PRIORITY PROJECT.—The term ‘priority project’ means a 21CSC project conducted to further 1 or more of the purposes described in section 202 or in section 2 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501), including by—
 - “(A) reducing wildfire risk to a community, municipal water supply, or at-risk land;
 - “(B) protecting a watershed;
 - “(C) addressing a threat to forest land or rangeland health, including catastrophic wildfire;
 - “(D) addressing the impact of insect or disease infestation or any other damaging agent on forest land, water, or rangeland health; or
 - “(E) conserving, restoring, or enhancing a forest ecosystem or an ecosystem on public, private, or tribal land—
 - “(i) to improve biological diversity; or
 - “(ii) to enhance—
 - “(I) the productivity of fish and wildlife habitat;
 - “(II) the recovery of a species; or
 - “(III) carbon sequestration.

“(10) RESOURCE ASSISTANT.—The term ‘resource assistant’ means a resource assistant selected under section 206.

“(11) STATE.—The term ‘State’ means—

“(A) each of the several States of the United States;

“(B) the District of Columbia;

“(C) the Commonwealth of Puerto Rico;

“(D) the United States Virgin Islands;

“(E) Guam;

“(F) American Samoa; and

“(G) the Commonwealth of the Northern Mariana Islands.

“(12) TRIBAL AGENCY.—The term ‘tribal agency’ has the meaning given the term ‘Indian tribe’ in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).

“(13) TRIBAL LAND OR WATER.—The term ‘tribal land or water’ means any real property or water—

“(A) owned by a tribal agency;

“(B) held in trust by the United States for an Indian or a tribal agency;

or

“(C) held by an Indian or a tribal agency that is subject to a restriction on alienation imposed by the United States.

“(14) VETERAN.—The term ‘veteran’ has the meaning given the term in section 101 of title 38, United States Code.

“(15) YOUTH.—The term ‘youth’ means an individual who is not younger than age 15 and not older than age 30.”

(b) CONFORMING AMENDMENT.—Section 623(i)(6) of title 40, United States Code, is amended by striking “any public lands (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722))” and inserting “any land or water (or interest in land or water) owned by the United States (other than Indian land)”.

SEC. 4. 21ST CENTURY CONSERVATION SERVICE CORPS.

Section 204 of the Public Lands Corps Act of 1993 (16 U.S.C. 1723) is amended to read as follows:

“SEC. 204. 21ST CENTURY CONSERVATION SERVICE CORPS.

“(a) ESTABLISHMENT.—There is established the 21st Century Conservation Service Corps, to be comprised of 21CSC organizations and Corpsmembers, to carry out, in partnership with participating entities, the purposes of this title.

“(b) DESIGNATION OF COORDINATORS.—The head of each participating entity, and the head of any bureau or subdivision of each participating entity, shall designate a 21CSC coordinator to coordinate any activity of the 21CSC or a 21CSC project carried out by the participating entity or the bureau or subdivision of the participating entity.

“(c) PARTICIPATING ENTITIES.—

“(1) IN GENERAL.—The 21CSC shall be implemented jointly by the heads of the participating entities, who may support the 21CSC by carrying out the activities described in paragraph (3).

“(2) LIST OF PARTICIPATING ENTITIES.—The participating entities shall be—

“(A) the Department of the Interior;

“(B) the Department of Agriculture;

“(C) the Department of Transportation;

“(D) the Department of Labor;

“(E) the Department of Energy;

“(F) the Department of Defense;

“(G) the Department of Veterans Affairs;

“(H) the Department of Commerce;

“(I) the Department of Education;

“(J) the Department of Housing and Urban Development;

“(K) the Corporation for National and Community Service;

“(L) the Office of the Assistant Secretary of the Army for Civil Works;

“(M) the Federal Emergency Management Agency; and

“(N) any other Federal agency designated by the President as necessary to carry out a 21CSC project.

“(3) SUPPORT FOR THE 21CSC.—

“(A) IN GENERAL.—The head of a participating entity may provide support to the 21CSC by—

“(i) establishing standards for the 21CSC;

“(ii) establishing a process for an organization to apply and be approved to become a 21CSC organization;

“(iii) developing and supporting a public-private partnership referred to in paragraph (5)(A)(i);

“(iv) using or leveraging existing funds, or acquiring funds and other resources, under section 210 to support 21CSC projects through entering into a cooperative agreement under paragraph (5)(A)(i);

“(v) leveraging existing resources described in section 210(b) to expand the use of the 21CSC to meet the mission of the participating entity;

“(vi) using technology to support 21CSC projects; and

“(vii) collecting performance data on 21CSC projects—

“(I) to prepare the reports referred to in subparagraph (C)(i)(I); and

“(II) to demonstrate the impact of the 21CSC projects.

“(B) COORDINATION.—

“(i) IN GENERAL.—The heads of each of the participating entities shall, to the maximum extent practicable, coordinate with each other or the head of any other Federal agency that is affected by, or carrying out, an activity that is similar to a 21CSC project—

“(I) to minimize, to the maximum extent practicable, the duplication of any specific project performed by any other participating entity or Federal agency; and

“(II) to maximize 21CSC project completion in a cost-effective manner by collaborating to leverage existing resources described in section 210(b).

“(ii) APPROVAL AND DATA COLLECTION.—The head of each participating entity shall, to the maximum extent practicable, coordinate with each other head of a participating entity—

“(I) to approve organizations as 21CSC organizations; and

“(II) to collect the data, when practicable in coordination with a national non-Federal 21CSC organization coordinating entity, referred to in items (aa) through (dd) of subparagraph (C)(i)(I).

“(iii) GUIDANCE.—The head of each participating entity shall, to the maximum extent practicable, seek guidance from—

“(I) the Corporation for National and Community Service;

“(II) the Departments of Veterans Affairs and Labor on methods to increase the participation of veterans in 21CSC projects;

“(III) the Secretary of the Interior, acting through the Assistant Secretary for Indian Affairs, on methods to increase the participation of Indians in 21CSC projects;

“(IV) the Secretary of Defense on participation for the 21CSC in the Skillbridge program (DoD Instruction 1322.29), and on recruiting generally, to encourage more veteran and transitioning service member engagement in 21CSC projects;

“(V) the Secretary of Labor and the Secretary of Agriculture on methods to increase rural youth engagement in 21CSC projects;

“(VI) the Secretary of Labor on methods to increase the creation of apprenticeships through 21CSC organizations, private-sector employer partnerships, and identifying career pathways aligned with 21CSC projects; and

“(VII) the Secretary of Education on methods to increase the recognition of Corpsmembers’ experience with 21CSC projects as post-secondary credit at higher education institutions.

“(C) REPORTING.—

“(i) 21CSC REPORTS.—

“(I) REPORT TO CONGRESS.—As soon as practicable after the date of enactment of the 21st Century Conservation Service Corps Act, the Chief Executive Officer of the Corporation for National and Community Service, in coordination with the head of each participating entity, shall submit to Congress a report that includes data, for the year covered by the report, including—

“(aa) the number of Corpsmembers that carried out 21CSC projects and the length of the term of service for each Corpsmember;

“(bb) the total amount of funding provided by participating entities for the service of Corpsmembers;

“(cc) the type of service performed by Corpsmembers and the impact and accomplishments of the service; and

“(dd) any other similar data determined by the Chief Executive Officer of the Corporation for National and Community Service or the head of a participating entity to be appropriate, including data sufficient to determine the effectiveness of

21CSC organizations in carrying out activities to achieve the purposes of this title in a manner that—

“(AA) is cost-effective; and

“(BB) does not unduly duplicate or overlap with any other activity or program carried out by any other Federal agency.

“(II) DATA FROM PARTICIPATING ENTITIES.—Not later than 1 year after the date of enactment of the 21st Century Conservation Service Corps Act, and annually thereafter, the head of each participating entity shall submit to the Chief Executive Officer of the Corporation for National and Community Service the data described in items (aa) through (dd) of subclause (I).

“(III) DATA COLLECTION.—The Chief Executive Officer of the Corporation for National and Community Service may coordinate with individual 21CSC organizations to improve the collection of the required data described in items (aa) through (dd) of subclause (I).

“(ii) COMPTROLLER GENERAL REPORTS.—

“(I) IN GENERAL.—The Comptroller General of the United States shall prepare and submit to Congress—

“(aa) not later than 3 years after the date of submission of the first report under clause (i)(I), an interim report; and

“(bb) not later than 5 years after the date of submission of the first report under that clause, a final report.

“(II) CONTENTS.—The interim and final reports referred to in subclause (I) shall include—

“(aa) an assessment, based on the data described in items (aa) through (dd) of clause (i)(I), of the effectiveness of 21CSC organizations in achieving the purposes of this title in a manner that—

“(AA) is cost-effective; and

“(BB) does not unduly duplicate or overlap with any other activity or program carried out by any other Federal agency; and

“(bb) recommendations on how to more effectively manage and carry out 21CSC projects to achieve the purposes of this title in the manner described in item (aa).

“(III) ADDITIONAL REPORTS.—The Comptroller General of the United States may submit to Congress any additional report that includes the content described in subclause (II), as the Comptroller General determines to be necessary.

“(4) GIFTS AND DONATIONS.—The head of a participating entity may accept, use, or dispose of a contribution that is a gift or donation of money, services, or property to support the development, implementation, and expansion of a 21CSC project, in accordance with applicable law (including regulations).

“(5) COOPERATIVE AGREEMENTS WITH 21CSC ORGANIZATIONS.—

“(A) IN GENERAL.—The head of each participating entity may—

“(i) develop a public-private partnership with a 21CSC organization by entering into a cooperative agreement with the 21CSC organization to support and carry out 21CSC projects; and

“(ii) leverage existing resources described in section 210(b) to support a cooperative agreement.

“(B) TYPE OF COOPERATIVE AGREEMENT.—A cooperative agreement under this paragraph may—

“(i) be limited to an agreement for a specific 21CSC project;

“(ii) be a broad agreement covering multiple planned or future 21CSC projects; or

“(iii) be an agreement for a 21CSC project to be part of a broader 21CSC initiative carried out in partnership with—

“(I) the Federal Government;

“(II) a State government; or

“(III) a tribal agency.

“(C) SET SHARE.—A cooperative agreement under this paragraph shall include a provision specifying the cost share that the 21CSC organization will provide under section 210(c).

“(d) 21CSC ORGANIZATIONS.—

“(1) IN GENERAL.—To be considered and approved as a 21CSC organization, an organization shall, to the maximum extent practicable, demonstrate the ability to meet, and provide assurances that the organization will meet, each requirement described in paragraphs (2) through (6).

- “(2) 21CSC CORPSMEMBERS ENGAGED BY 21CSC ORGANIZATIONS.—
- “(A) IN GENERAL.—In addition to meeting the requirement of subparagraph (B), any individual selected by a 21CSC organization to carry out a 21CSC project shall, to the maximum extent practicable, be—
- “(i) a youth, notwithstanding paragraphs (3) and (4) of section 137(a) of the National and Community Service Act of 1990 (42 U.S.C. 12591(a)) in the case of any Corpsmember participating in a 21CSC project supported and carried out by the Corporation for National and Community Service; or
- “(ii) a veteran not older than age 35.
- “(B) CITIZENSHIP REQUIREMENT.—Any individual selected as a Corpsmember shall be—
- “(i) a citizen or national of the United States;
- “(ii) a lawful permanent resident of the United States; or
- “(iii) a citizen of the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau and admitted to the United States as a nonimmigrant under the terms of the applicable Compact of Free Association with the United States.
- “(C) EMPHASIS ON DIVERSITY AND INCLUSION.—In selecting a Corpsmember, a 21CSC organization shall make deliberate outreach efforts to engage an individual who—
- “(i) lives in the State or region of the 21CSC organization; and
- “(ii) represents a traditionally underserved population, including veterans, Indians, and disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511)).
- “(3) COMPENSATION FOR PARTICIPANTS.—A 21CSC organization shall provide compensation to each Corpsmember that includes 1 or more of the following:
- “(A) A wage.
- “(B) A stipend.
- “(C) A living allowance.
- “(D) An educational credit that may be applied towards a program of postsecondary education at an institution of higher education that agrees to award the credit for participation in a 21CSC project.
- “(4) ORGANIZATION OF SERVICE FOR PARTICIPANTS.—
- “(A) IN GENERAL.—In carrying out a 21CSC project, a 21CSC organization shall, to the maximum extent practicable, organize each Corpsmember as—
- “(i) a crew-based participant who—
- “(I) serves together with other crew-based participants; and
- “(II) is directly supervised by a trained and experienced crew-based leader or conservation professional; or
- “(ii) an individual or small team-based participant who serves—
- “(I) individually or in a coordinated small team, as applicable;
- “(II) under the direction of a conservation professional; and
- “(III) on an initiative that requires specific skills and dedicated attention.
- “(B) VETERAN AND CIVILIAN COOPERATION.—A 21CSC organization shall, to the maximum extent practicable, encourage cooperation among veteran and civilian Corpsmembers.
- “(5) 21CSC PROJECTS.—A 21CSC organization shall carry out a 21CSC project that includes national service, and may be a priority project, involving—
- “(A) the conservation, restoration, and enhancement of—
- “(i) a unit of the National Park System or National Forest System;
- “(ii) public or tribal land or water; or
- “(iii) natural, cultural, or historical resources or treasures;
- “(B) the conservation, restoration, management, and development of the natural resources and infrastructure of the United States, including—
- “(i) removal of invasive species;
- “(ii) wildfire prevention and response;
- “(iii) disaster resiliency, mitigation, response, and recovery;
- “(iv) trail development and maintenance;
- “(v) coastal restoration and resiliency;
- “(vi) historic preservation;
- “(vii) public safety;
- “(viii) energy efficiency and alternative energy;
- “(ix) water infrastructure;
- “(x) construction, repair, rehabilitation, or maintenance of—
- “(I) a road;
- “(II) a campground; or

- “(III) any other recreation or visitor facility or housing structure; and
- “(xi) any other related project that furthers the purposes of this title;
- “(C) the support, development, and enhancement of outdoor recreation or urban green space for the purpose of public access;
- “(D) service that is primarily indoors, such as service in a science, policy, or program internship, with a clear benefit for natural, cultural, or historic resources or treasures, which may include the provision of interpretation and education services to—
 - “(i) the public; or
 - “(ii) a cooperating association, educational institution, friends group, or similar nonprofit partner organization; and
- “(E) notwithstanding section 132A of the National and Community Service Act of 1990 (42 U.S.C. 12584a), a project described in this paragraph on private land or water in partnership with a private entity if—
 - “(i) the project has a direct or recognized public or environmental benefit; or
 - “(ii) the funding for the project originated from a governmental entity, regardless of the end payor.
- “(6) 21CSC CORPSMEMBERS.—In carrying out a 21CSC project, a 21CSC organization shall provide each Corpsmember with—
 - “(A) in-demand skills development, certification and credentials, and education to prepare the Corpsmember for success in transitioning to the 21st century workforce;
 - “(B) community skill development to help the Corpsmember—
 - “(i) acquire an ethic of service to others and the United States; and
 - “(ii) become a more effective natural resource and community steward; and
 - “(C) a greater understanding of the natural, cultural, or historic resources or treasures of the United States.
- “(e) CORPSMEMBER COMPENSATION AND EMPLOYMENT STANDARDS.—
 - “(1) CORPSMEMBER COMPENSATION STANDARD.—
 - “(A) SPECIFIC WAGE RATES.—A form of compensation provided under subparagraph (A), (B), or (C) of subsection (d)(3) shall be considered to be established at a specific wage rate, in the same manner as the compensation provided for a living allowance under section 140 of the National and Community Service Act of 1990 (42 U.S.C. 12594).
 - “(B) COMPENSATION FOR CERTAIN CORPSMEMBERS.—The compensation provided under subsection (d)(3) to a Corpsmember who is not a participant in a 21CSC project supported by the Corporation for National and Community Service shall not be subject to any provision of (including a regulation under) the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) relating to a wage rate, but shall be considered to be established at a specific wage rate, in the manner described in subparagraph (A).
 - “(C) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) applies a specific wage rate for a living allowance that is established under section 140 of the National and Community Service Act of 1990 (42 U.S.C. 12594) to the compensation of a Corpsmember under subsection (d)(3).
 - “(2) CORPSMEMBER EMPLOYMENT STANDARD.—
 - “(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), in parity with section 101(30) of the National and Community Service Act of 1990 (42 U.S.C. 12511(30)), a Corpsmember shall be considered to be a participant (as defined in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511)), not an employee, of the 21CSC organization for which the Corpsmember serves.
 - “(B) FEDERAL EMPLOYMENT PROVISIONS.—Notwithstanding subparagraph (A), Federal employment provisions shall apply to a Corpsmember to the extent that those provisions apply to a participant or crew leader under section 199M(b) of the National and Community Service Act of 1990 (42 U.S.C. 12655n(b)).
 - “(C) CHILD LABOR PROVISIONS.—Notwithstanding subparagraph (A)—
 - “(i) the child labor provisions under section 12 of the Fair Labor Standards Act of 1938 (29 U.S.C. 212) (including any order or regulation issued under the authority of such section or section 3(l) of such Act (29 U.S.C. 203(l))) shall apply to a Corpsmember and the 21CSC organization for which the Corpsmember serves in the same manner as such provisions apply to an employee and an employer under such Act; and

“(ii) a violation of a section specified in clause (i) by a 21CSC organization shall be enforced by the Secretary of Labor in the same manner, and subject to the same penalties under the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), as a violation by an employer of section 12 of such Act (29 U.S.C. 212).

“(3) CIVIL SERVICE.—An individual may be enrolled as a Corpsmember without regard to the civil service and classification laws, rules, or regulations.”.

SEC. 5. 21ST CENTURY CONSERVATION SERVICE CORPS CONSERVATION CENTERS AND PROGRAM SUPPORT.

Section 205 of the Public Lands Corps Act of 1993 (16 U.S.C. 1724) is amended—

(1) in subsection (a)—

(A) by striking “Secretary” each place it appears and inserting “head of a participating entity”; and

(B) in paragraph (1)—

(i) in subparagraph (A), by striking “Public Lands Corps” and inserting “21CSC”; and

(ii) in subparagraph (B), by striking “conservation projects” and inserting “21CSC projects”;

(2) in subsection (b)—

(A) in the heading, by inserting “, TEMPORARY HOUSING, AND TRANSPORTATION” after “LOGISTICAL SUPPORT”;

(B) in the first sentence—

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

“(1) LOGISTICAL SUPPORT.—

“(A) IN GENERAL.—The head of a participating entity”; and

(ii) by striking “the Corps” and inserting “the 21CSC”;

(C) in the second sentence, by striking “Logistical support” and inserting the following:

“(B) INCLUSIONS.—Logistical support provided under subparagraph (A)”;

and

(D) by adding at the end the following:

“(2) TEMPORARY HOUSING.—The head of a participating entity may make arrangements with another Federal agency or a State, local government, or private organization to provide temporary housing for Corpsmembers as needed and available.

“(3) TRANSPORTATION.—The head of a participating entity may provide transportation to and from 21CSC project sites for Corpsmembers that reside in their own homes.”;

(3) in subsection (c)—

(A) by striking “The Secretary” and inserting “The head of a participating entity”; and

(B) by striking “the Corps for training or housing Corps participants” and inserting “the 21CSC for training or housing Corpsmembers”; and

(4) in subsection (d), by striking “The Secretary” and inserting “The head of a participating entity”.

SEC. 6. RESOURCE ASSISTANTS.

Section 206 of the Public Lands Corps Act of 1993 (16 U.S.C. 1725) is amended—

(1) in subsection (a)—

(A) in the fourth sentence, by striking “The Secretary” and inserting the following:

“(4) PREFERENCE.—The head of a participating entity”;

(B) in the third sentence, by striking “The Secretary” and inserting the following:

“(3) SELECTION.—The head of a participating entity”;

(C) in the second sentence, by striking “To be eligible” and inserting the following:

“(2) ELIGIBILITY.—To be eligible”; and

(D) by striking the first sentence and inserting the following:

“(1) IN GENERAL.—The head of a participating entity may provide individual placements of resource assistants to carry out research or resource protection activities on behalf of the participating entity.”; and

(2) by striking subsection (b) and inserting the following:

“(b) PREFERENCE FOR THE USE OF 21CSC ORGANIZATIONS.—

“(1) IN GENERAL.—If the head of a participating entity determines that a 21CSC organization can provide appropriate recruitment and placement services to fulfill the requirements of this section, the head of the participating entity may implement this section through a 21CSC organization.

“(2) CONTRIBUTION TO EXPENSES.—A 21CSC organization providing recruitment and placement services under paragraph (1) shall contribute to the expenses of providing and supporting resource assistants, through 1 or more private sources of funding, at a level equal to 25 percent of the total costs of each participant in the resource assistant program that has been recruited and placed through the 21CSC organization.

“(3) ANNUAL REPORT.—A 21CSC organization providing recruitment and placement services under paragraph (1) shall submit to the head of the applicable participating entity an annual report that evaluates the scope, size, and quality of the resource assistant program carried out by the 21CSC organization, including a description of the value of the work contributed by resource assistants to the mission of the participating entity.”.

SEC. 7. ELIGIBILITY FOR NONCOMPETITIVE HIRING STATUS.

Section 207 of the Public Lands Corps Act of 1993 (16 U.S.C. 1726) is amended to read as follows:

“SEC. 207. ELIGIBILITY FOR NONCOMPETITIVE HIRING STATUS.

“(a) DEFINITIONS.—In this section—

“(1) the terms ‘land management agency’ and ‘time-limited appointment’ have the meanings given those terms in section 9601 of title 5, United States Code; and

“(2) the term ‘qualified Corpsmember’ means a Corpsmember who is certified by a corresponding participating entity as having successfully completed 640 hours of service with a 21CSC organization.

“(b) HIRING.—

“(1) IN GENERAL.—Subject to paragraph (2) and subsection (c), a qualified Corpsmember shall be eligible for appointment in the competitive service in the same manner as a Peace Corps volunteer as prescribed in Executive Order 11103 (22 U.S.C. 2504 note; relating to Providing for the Appointment of Former Peace Corps Volunteers to the Civilian Career Services), as amended by Executive Order 12107 (44 Fed. Reg. 1055; relating to the Civil Service Commission and Labor-Management in the Federal Service).

“(2) PERIOD.—A qualified Corpsmember shall be eligible for an appointment under paragraph (1) during the 2-year period beginning on the date on which the Corpsmember completes the 640 hours of service required under subsection (a)(2).

“(3) TIME-LIMITED APPOINTMENT.—For purposes of section 9602 of title 5, United States Code, a qualified Corpsmember hired by a participating entity that is a land management agency for a time-limited appointment shall be considered to be appointed initially under open, competitive examination.

“(c) SERVICE HOURS.—

“(1) IN GENERAL.—The 640 hours of service required under subsection (a)(2) may include service on 1 or more projects carried out by a Corpsmember with 1 or more participating entities during 1 or more terms of service in a 21CSC organization.

“(2) COMPETITIVE SERVICE.—To be eligible for noncompetitive hiring status under subsection (b), a Corpsmember shall perform the 640 hours of service required under subsection (a)(2)—

“(A) carrying out a project on public or tribal land or water; or

“(B) in service with, or on a project supported in whole or in part by, a participating entity.

“(3) PRIORITIES.—The head of each participating entity is encouraged, to the maximum extent practicable, to identify a sufficient number of 21CSC projects on public or tribal land or water that are aligned with the priorities of the participating entity so as to facilitate the attainment of the 640 hours of service by Corpsmembers required under subsection (a)(2).

“(4) TRACKING HOURS.—Participating entities shall coordinate with 21CSC organizations to identify the most effective and efficient method for tracking and certifying the 640 hours of service required under subsection (a)(2).

“(d) GUIDANCE.—The head of each participating entity, and any subdivision of a participating entity, shall coordinate with the head of each other participating entity, and subdivision of each other participating entity, to implement and issue guidance on eligibility for noncompetitive hiring status under subsection (b) in a uniform manner to—

“(1) improve the efficiency and use of noncompetitive hiring authority; and

“(2) minimize inconsistency.”.

SEC. 8. NATIONAL SERVICE EDUCATIONAL AWARDS.

Section 208 of the Public Lands Corps Act of 1993 (16 U.S.C. 1727) is amended—

- (1) in subsection (a), in the first sentence—
 - (A) by striking “participant in the Public Lands Corps” and inserting “Corpsmember”; and
 - (B) by striking “the participant” and inserting “the Corpsmember”; and
- (2) in subsection (b)—
 - (A) by striking “either participants in the Corps” and inserting “Corpsmembers”; and
 - (B) by striking “such a participant” and inserting “a Corpsmember”.

SEC. 9. NONDISPLACEMENT.

Section 209 of the Public Lands Corps Act of 1993 (16 U.S.C. 1728) is amended—

- (1) by striking “Public Lands Corps” and inserting “21CSC”; and
- (2) by striking “qualified youth or conservation corps” and inserting “Corpsmember or a 21CSC organization”.

SEC. 10. FUNDING.

Section 210 of the Public Lands Corps Act of 1993 (16 U.S.C. 1729) is amended—

- (1) by redesignating subsections (a) through (c) as subsections (d) through (f), respectively;
- (2) by inserting before subsection (d) (as so redesignated) the following:

“(a) INVESTMENTS.—

“(1) IN GENERAL.—In addition to using the funds described in subsections (b) and (c) to fund 21CSC projects, each 21CSC organization shall leverage those funds by soliciting cash or in-kind contributions from public or private sources.

“(2) METHODS.—A 21CSC organization may leverage funds by soliciting contributions using innovative strategies, such as crowd-funding.

“(b) EXISTING RESOURCES.—To fund a 21CSC project, the head of each participating entity shall be limited to using existing funds appropriated or allocated to the participating entity, as of the period of implementation of the 21CSC project, under any law or authority other than this title.

“(c) SET COST SHARE.—A 21CSC organization carrying out a 21CSC project shall provide a cost share of not less than 10 percent of the total cost of the 21CSC project, which may include cash or in-kind contributions from a State, local, or private source.”;

- (3) in subsection (d) (as so redesignated)—

(A) in paragraph (1)—

(i) in the paragraph heading, by striking “QUALIFIED YOUTH OR CONSERVATION CORPS” and inserting “CORPSMEMBERS OR 21CSC ORGANIZATIONS”; and

(ii) by striking the first and second sentences; and

(B) in paragraph (2)—

(i) in the paragraph heading, by striking “PUBLIC LANDS CORPS” and inserting “21CSC”;

(ii) in the first sentence—

(I) by striking “The Secretary is authorized to” and inserting “The head of a participating entity may”;

(II) by striking “Public Lands Corps” and inserting “21CSC”; and

(III) by striking “the Corps” and inserting “the 21CSC”; and

(iii) in the second sentence, by striking “the Corps” and “the 21CSC”;

(4) in subsection (e) (as so redesignated), by striking “In order” and all that follows through “the Secretary” and inserting “To carry out the 21CSC or to support resource assistants and Corpsmembers or 21CSC organizations under this title, the head of a participating entity”; and

- (5) in subsection (f) (as so redesignated)—

(A) by striking “section 211” and inserting “section 213”; and

(B) by striking “Public Lands Corps” and inserting “21CSC”.

SEC. 11. INDIAN YOUTH 21ST CENTURY CONSERVATION SERVICE CORPS; RULE OF CONSTRUCTION.

The Public Lands Corps Act of 1993 (16 U.S.C. 1721 et seq.) is amended—

- (1) by redesignating section 211 as section 213; and
- (2) by inserting after section 210 the following:

“SEC. 211. INDIAN YOUTH 21ST CENTURY CONSERVATION SERVICE CORPS.

“(a) AUTHORIZATION OF COOPERATIVE AGREEMENTS.—The head of a participating entity may offer to enter into a cooperative agreement with a tribal agency or a 21CSC organization to establish and administer the Indian Youth 21st Century Conservation Service Corps, which shall carry out 1 or more 21CSC projects on tribal land or water.

“(b) GUIDELINES.—Not later than 18 months after the date of enactment of the 21st Century Conservation Service Corps Act, the Secretary of the Interior, in con-

sultation with Indian tribes, shall issue guidelines for the management of the Indian Youth 21st Century Conservation Service Corps, in accordance with this Act and any other applicable Federal laws.

“SEC. 212. RULE OF CONSTRUCTION.

“Except where otherwise provided for in this title, the requirements and authorities provided under this title with respect to Corpsmembers, 21CSC organizations, and participating entities with respect to a 21CSC project shall be in addition to any requirement or authority provided under other Federal law with respect to Corpsmembers, 21CSC organizations, and participating entities with respect to the 21CSC project.”.

SEC. 12. DIRECT HIRE AUTHORITY.

Section 121(a) of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (16 U.S.C. 1725a(a)), is amended—

(1) in paragraph (1)—

(A) by striking “Secretary of the Interior” and inserting “head of a participating entity (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722)) (referred to in this subsection as a ‘participating entity’)”; and

(B) by striking “in paragraph (1) directly to a position with a land managing agency of the Department of the Interior” and inserting “in paragraph (2) directly to a position with a participating entity”; and

(2) in paragraph (2)(A), by striking “land managing agency” and inserting “participating entity”.

SEC. 13. NATIONAL AND COMMUNITY SERVICE PROGRAMS.

(a) **NONPROFIT CAPACITY BUILDING.**—Section 198S(a)(4) of the National and Community Service Act of 1990 (42 U.S.C. 12653s(a)(4)) is amended by striking “and the District of Columbia” and inserting “the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands of the United States”.

(b) **COMPACT MIGRANT ELIGIBILITY.**—Section 137(a)(5) of the National and Community Service Act of 1990 (42 U.S.C. 12591(a)(5)) is amended to read as follows:

“(5) is a citizen or national of the United States or lawful permanent resident alien of the United States, or is a citizen of the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau and admitted to the United States as a nonimmigrant under the terms of the applicable Compact of Free Association with the United States.”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to any participant in a program under the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) selected after the date of enactment of this section.

SEC. 14. YOUTH CONSERVATION CORPS.

Public Law 91–378 (commonly known as the “Youth Conservation Corps Act of 1970”) (16 U.S.C. 1701 et seq.) is amended—

(1) in section 102(a) (16 U.S.C. 1702(a)), by—

(A) striking “trust territories, or” and inserting “or the”; and

(B) inserting “(or who are citizens of the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau and admitted to the United States as nonimmigrants under the terms of the applicable Compact of Free Association with the United States),” after “Puerto Rico”; and

(2) in section 104 (16 U.S.C. 1704)—

(A) in subsection (a), by striking “the Trust Territory of the Pacific Islands, and American Samoa” and inserting “American Samoa, and the Commonwealth of the Northern Mariana Islands”; and

(B) in subsection (b)(1)(A), by striking “, possessions, or the Trust Territory of the Pacific Islands” and inserting “or possessions (or the citizens of the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau and admitted to the United States as nonimmigrants under the terms of the applicable Compact of Free Association with the United States)”.

PURPOSE OF THE BILL

The purpose of H.R. 2987 is to amend the Public Lands Corps Act of 1993 to establish the 21st Century Conservation Service Corps to place youth and veterans in national service positions to

conserve, restore, and enhance the great outdoors of the United States.

BACKGROUND AND NEED FOR LEGISLATION

In 2010, President Obama created the America's Great Outdoors Initiative to encourage Americans, particularly young people, to enjoy our country's rivers and waterways, farms and forests, and local and national parks. As part of this initiative, the President called for the creation of the 21st Century Conservation Service Corps (21CSC) to establish quality jobs, career pathways and service opportunities for youths and veterans.

In response to the President's initiative, the Department of the Interior and its land management bureaus, along with the U.S. Forest Service, established public-private partnership programs identified informally as 21CSC partnerships. The Public Lands Corps Act of 1993 (Public Law 103-82, 16 U.S.C. 1721 et seq.) authorizes the Department of the Interior and the U.S. Forest Service to collaborate with youth conservation corps on 21CSC projects across the country. Our nation's land management agencies have maintenance backlogs totaling over \$18.6 billion.¹ By partnering with 21CSC programs through cooperative agreements, these agencies have leveraged their funding to cost-effectively use corps members for a variety of projects, including building trails, fighting wildfires, restoring watersheds, removing invasive species, and providing front-line services for visitors.

H.R. 2987 expands the number of federal agencies authorized to enter into cooperative agreements with 21CSC groups to include the Departments of Transportation, Labor, Energy, Defense, Veterans Affairs, Commerce, Education, Housing and Urban Development; the Corporation for National and Community Service; the Army Corps of Engineers; the Federal Emergency Management Agency; and any other agencies as designated by the President.

Furthermore, the bill provides participating agencies flexibility to support 21CSC projects in a manner consistent with each agency's mission and resources, while seeking to minimize the duplication of a specific project. Authorizing 21CSC groups to carry out projects directly with other agencies relieves some of the administrative burden on the Departments of the Interior and Agriculture, which currently serve as sponsoring entities for 21CSC projects carried out by federal entities outside those two departments. The bill also requires participating agencies to report to Congress to ensure 21CSC activities are carried out in a cost-effective manner.

H.R. 2987 codifies and expands the 21st Century Conservation Service Corps program. The bill would officially rename the Public Lands Corps as the 21st Century Conservation Service Corps, expand the participation of veterans of the U.S. Armed Forces in the corps, increase the number of federal agencies that are able to use the program, authorize a program specifically for Indian youth to carry out projects on tribal lands, and establish standards for data collection and measuring the effectiveness of 21CSC programs.

The Subcommittee on Federal Lands held a hearing on H.R. 5114, a similar bill introduced in the 114th Congress, on June 23,

¹ Vincent, *Deferred Maintenance of Federal Land Management Agencies: FY2007-FY2016 Estimates and Issues* (April 25, 2017), p. 1.

2016. A Senate companion bill, S. 1403, has been introduced in the 115th Congress by Senator John McCain.

COMMITTEE ACTION

H.R. 2987 was introduced on June 21, 2017, by Congresswoman Martha McSally (R-AZ). The bill was referred to the Committee on Natural Resources, and additionally to the Committee on Education and the Workforce, the Committee on Agriculture, the Committee on Transportation and Infrastructure, and the Committee on Energy and Commerce. Within the Natural Resources Committee, the bill was referred to the Subcommittee on Federal Lands, the Subcommittee on Indian, Insular and Alaska Native Affairs, and the Subcommittee on Water, Power and Oceans. On January 17, 2018, the Natural Resources Committee met to consider the bill. The Subcommittees were discharged by unanimous consent. Congresswoman Madeleine Z. Bordallo (D-GU) offered an amendment designated 038; it was adopted by unanimous consent. Congresswoman Madeleine Z. Bordallo (D-GU) offered an amendment designated 039; it was adopted by unanimous consent. Congressman Rob Bishop (R-UT) offered an amendment designated #1; it was adopted by unanimous consent. Congresswoman Madeleine Z. Bordallo (D-GU) offered an amendment designated 040; it was adopted by unanimous consent. No additional amendments were offered, and the bill, as amended, was ordered favorably reported to the House of Representatives by unanimous consent.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. Cost of Legislation and the Congressional Budget Act. With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 4, 2018.

Hon. ROB BISHOP,
*Chairman, Committee on Natural Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2987, the 21st Century Conservation Service Corps Act of 2017.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Jeff LaFave.

Sincerely,

KEITH HALL,
Director.

Enclosure.

H.R. 2987—21st Century Conservation Service Corps Act of 2017

H.R. 2987 would amend the Public Lands Corps Act of 1993, which governs programs that employ young adults to work on lands managed by the Department of the Interior and the Forest Service. Under current law, those programs are permanently authorized to receive appropriations totaling \$12 million a year.

Existing Public Lands Corps (PLC) programs vary by agency and funding source. Although historically some agencies have received specific appropriations to carry out the program, the National Park Service often has derived funding from recreation fees that the agency can use without further appropriation action. The Department of the Interior cannot provide information regarding the amount of funding each agency has allocated to implement PLC programs in recent years.

In addition to changing the name of the Public Lands Corps to the 21st Century Conservation Service Corps, H.R. 2987 would:

- Expand the program to include at least 11 additional federal agencies,
- Assist Indian tribes and related youth groups with the operation of the Indian Youth 21st Century Conservation Service Corps,
- Require participating agencies to designate program coordinators,
- Open the program to veterans under the age of 35, and
- Authorize agencies to use appropriated funds to provide transportation subsidies to program participants.

Although H.R. 2987 would expand the program and authorize several new activities under the Public Lands Corps Act, the bill would not increase the amounts authorized to be appropriated under that act. Thus, CBO estimates that implementing the bill would not affect the federal budget over the 2019–2023 period.

Enacting H.R. 2987 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 2987 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

H.R. 2987 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Jeff LaFave. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

2. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to amend the Public Lands Corps Act of 1993 to establish the 21st Century Conservation Service Corps to place youth and veterans in national service positions to conserve, restore, and enhance the great outdoors of the United States.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

COMPLIANCE WITH H. RES. 5

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, and existing law in which no change is proposed is shown in roman):

PUBLIC LANDS CORPS ACT OF 1993

* * * * *

TITLE II—PUBLIC LANDS CORPS

* * * * *

[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 those men and women by providing them with education and work opportunities, furthering their understanding and appreciation of the 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) Many facilities and natural 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) 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.

[(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.

[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.

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

[(4) 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. 1101, 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 863; 73 Stat. 5).

[(5) 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) 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 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) 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.

[(8) PRIORITY PROJECT.—The term “priority project” means an appropriate conservation project 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.

[(10) 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 and 30, inclusive, in a natural or cultural resource setting;

[(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.

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

[(12) 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.

[(13) 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 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.

[(b) PARTICIPANTS.—The Corps shall consist of individuals between the ages of 16 and 30, inclusive, who are enrolled as participants in the Corps by the Secretary. 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 Secretary may enroll such individuals in the Corps without regard to the civil service and classification laws, rules, or regulations of the United States. The Secretary may establish a preference for the enrollment in the Corps of individuals who are economically, physically, or educationally disadvantaged.

[(c) 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 referred to in subsection (d).

[(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.

[(d) PROJECTS TO BE CARRIED OUT.—

[(1) IN GENERAL.—The Secretary may utilize the Corps or any qualified youth or conservation corps to carry out appropriate conservation projects which the Secretary is authorized to carry out under other authority of law on public lands.

[(2) PROJECTS ON INDIAN LANDS.—Appropriate 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) DISASTER PREVENTION OR RELIEF PROJECTS.—The Secretary may authorize appropriate 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) PREFERENCE FOR CERTAIN PROJECTS.—In selecting appropriate conservation projects to be carried out under this title, the Secretary shall give preference to those projects which—

[(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;

[(3) will be labor intensive;

[(4) can be planned and initiated promptly; and

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

[(f) CONSISTENCY.—Each appropriate 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.】

SEC. 202. PURPOSES.

The purposes of this title are—

(1) *to engage youth and veterans in the United States in civilian national service positions to conserve, rebuild, and enhance the outdoors, natural resources, infrastructure, and recreation assets of the United States;*

(2) *to increase public access to, and use of, public and tribal land and water, infrastructure, and natural, cultural, and historical resources and treasures, while spurring economic development and outdoor recreation and addressing backlogged maintenance on public land;*

(3) *to conserve, restore, and enhance public and tribal land and water, infrastructure, and natural, cultural, and historical resources and treasures by carrying out high-quality, cost-effective 21st Century Conservation Service Corps projects;*

(4) *to ensure that, in any State or territory of the United States or on any tribal land, the activities and expertise of Corpsmembers will be accessible to any public organization, nonprofit organization, or tribal agency responsible for the stewardship of land and water that is—*

(A) *public;*

(B) *tribal; or*

(C) *private and has a direct or recognized public benefit, in coordination with the owner of the land or water;*

(5) *to place youth and veterans in civilian national service positions to protect, restore, and enhance the great outdoors, natural resources, infrastructure, and recreation assets of the United States in a cost-effective manner without undue duplication or overlap of activities or programs carried out by Federal agencies;*

(6) *to provide youth and veterans placed in civilian national service positions with opportunities to gain in-demand skills, credentials, and education to prepare for, and transition to, success in the 21st century workforce; and*

(7) to channel widespread interest among youth and veterans in serving in civilian national service positions to help conserve, restore, and enhance public and tribal land and water, infrastructure, and natural, cultural, and historical resources and treasures—

- (A) for the enjoyment and use of future generations; and
- (B) to develop the next generation of outdoor stewards, entrepreneurs, recreationists, and sportsmen and sports-women.

SEC. 203. DEFINITIONS.

In this title:

(1) **21CSC.**—The term “21CSC” means the 21st Century Conservation Service Corps established by section 204(a).

(2) **21CSC ORGANIZATION.**—The term “21CSC organization” means an organization or association that meets the requirements described in section 204(d).

(3) **21CSC PROJECT.**—The term “21CSC project” means a project that is carried out by a 21CSC organization.

(4) **CORPSMEMBER.**—The term “Corpsmember” means an individual who is selected by a 21CSC organization to serve on a 21CSC project.

(5) **INDIAN.**—The term “Indian” has the meaning given the term in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).

(6) **INDIAN YOUTH 21ST CENTURY CONSERVATION SERVICE CORPS.**—The term “Indian Youth 21st Century Conservation Service Corps” means a program of a 21CSC organization that—

- (A) enrolls participants, the majority of whom are Indians; and
- (B) is established pursuant to an agreement between a tribal agency and a 21CSC organization for the benefit of the members of the tribal agency.

(7) **INSTITUTION OF HIGHER EDUCATION.**—

(A) **IN GENERAL.**—The term “institution of higher education” has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(B) **EXCLUSION.**—The term “institution of higher education” does not include an institution outside the United States, as described in section 102(a)(1)(C) of that Act (20 U.S.C. 1002(a)(1)(C)).

(8) **PARTICIPATING ENTITY.**—The term “participating entity” means a Federal entity described in section 204(c)(2).

(9) **PRIORITY PROJECT.**—The term “priority project” means a 21CSC project conducted to further 1 or more of the purposes described in section 202 or in section 2 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501), including by—

- (A) reducing wildfire risk to a community, municipal water supply, or at-risk land;
- (B) protecting a watershed;
- (C) addressing a threat to forest land or rangeland health, including catastrophic wildfire;
- (D) addressing the impact of insect or disease infestation or any other damaging agent on forest land, water, or rangeland health; or

- (E) conserving, restoring, or enhancing a forest ecosystem or an ecosystem on public, private, or tribal land—
- (i) to improve biological diversity; or
 - (ii) to enhance—
 - (I) the productivity of fish and wildlife habitat;
 - (II) the recovery of a species; or
 - (III) carbon sequestration.
- (10) **RESOURCE ASSISTANT.**—The term “resource assistant” means a resource assistant selected under section 206.
- (11) **STATE.**—The term “State” means—
- (A) each of the several States of the United States;
 - (B) the District of Columbia;
 - (C) the Commonwealth of Puerto Rico;
 - (D) the United States Virgin Islands;
 - (E) Guam;
 - (F) American Samoa; and
 - (G) the Commonwealth of the Northern Mariana Islands.
- (12) **TRIBAL AGENCY.**—The term “tribal agency” has the meaning given the term “Indian tribe” in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).
- (13) **TRIBAL LAND OR WATER.**—The term “tribal land or water” means any real property or water—
- (A) owned by a tribal agency;
 - (B) held in trust by the United States for an Indian or a tribal agency; or
 - (C) held by an Indian or a tribal agency that is subject to a restriction on alienation imposed by the United States.
- (14) **VETERAN.**—The term “veteran” has the meaning given the term in section 101 of title 38, United States Code.
- (15) **YOUTH.**—The term “youth” means an individual who is not younger than age 15 and not older than age 30.

SEC. 204. 21ST CENTURY CONSERVATION SERVICE CORPS.

(a) **ESTABLISHMENT.**—There is established the 21st Century Conservation Service Corps, to be comprised of 21CSC organizations and Corpsmembers, to carry out, in partnership with participating entities, the purposes of this title.

(b) **DESIGNATION OF COORDINATORS.**—The head of each participating entity, and the head of any bureau or subdivision of each participating entity, shall designate a 21CSC coordinator to coordinate any activity of the 21CSC or a 21CSC project carried out by the participating entity or the bureau or subdivision of the participating entity.

(c) **PARTICIPATING ENTITIES.**—

(1) **IN GENERAL.**—The 21CSC shall be implemented jointly by the heads of the participating entities, who may support the 21CSC by carrying out the activities described in paragraph (3).

(2) **LIST OF PARTICIPATING ENTITIES.**—The participating entities shall be—

- (A) the Department of the Interior;
- (B) the Department of Agriculture;
- (C) the Department of Transportation;
- (D) the Department of Labor;
- (E) the Department of Energy;
- (F) the Department of Defense;

- (G) the Department of Veterans Affairs;
 - (H) the Department of Commerce;
 - (I) the Department of Education;
 - (J) the Department of Housing and Urban Development;
 - (K) the Corporation for National and Community Service;
 - (L) the Office of the Assistant Secretary of the Army for Civil Works;
 - (M) the Federal Emergency Management Agency; and
 - (N) any other Federal agency designated by the President as necessary to carry out a 21CSC project.
- (3) SUPPORT FOR THE 21CSC.—
- (A) IN GENERAL.—The head of a participating entity may provide support to the 21CSC by—
- (i) establishing standards for the 21CSC;
 - (ii) establishing a process for an organization to apply and be approved to become a 21CSC organization;
 - (iii) developing and supporting a public-private partnership referred to in paragraph (5)(A)(i);
 - (iv) using or leveraging existing funds, or acquiring funds and other resources, under section 210 to support 21CSC projects through entering into a cooperative agreement under paragraph (5)(A)(i);
 - (v) leveraging existing resources described in section 210(b) to expand the use of the 21CSC to meet the mission of the participating entity;
 - (vi) using technology to support 21CSC projects; and
 - (vii) collecting performance data on 21CSC projects—
 - (I) to prepare the reports referred to in subparagraph (C)(i)(I); and
 - (II) to demonstrate the impact of the 21CSC projects.
- (B) COORDINATION.—
- (i) IN GENERAL.—The heads of each of the participating entities shall, to the maximum extent practicable, coordinate with each other or the head of any other Federal agency that is affected by, or carrying out, an activity that is similar to a 21CSC project—
 - (I) to minimize, to the maximum extent practicable, the duplication of any specific project performed by any other participating entity or Federal agency; and
 - (II) to maximize 21CSC project completion in a cost-effective manner by collaborating to leverage existing resources described in section 210(b).
 - (ii) APPROVAL AND DATA COLLECTION.—The head of each participating entity shall, to the maximum extent practicable, coordinate with each other head of a participating entity—
 - (I) to approve organizations as 21CSC organizations; and
 - (II) to collect the data, when practicable in coordination with a national non-Federal 21CSC or-

ganization coordinating entity, referred to in items (aa) through (dd) of subparagraph (C)(i)(I).

(iii) *GUIDANCE.*—The head of each participating entity shall, to the maximum extent practicable, seek guidance from—

(I) the Corporation for National and Community Service;

(II) the Departments of Veterans Affairs and Labor on methods to increase the participation of veterans in 21CSC projects;

(III) the Secretary of the Interior, acting through the Assistant Secretary for Indian Affairs, on methods to increase the participation of Indians in 21CSC projects;

(IV) the Secretary of Defense on participation for the 21CSC in the Skillbridge program (DoD Instruction 1322.29), and on recruiting generally, to encourage more veteran and transitioning service member engagement in 21CSC projects;

(V) the Secretary of Labor and the Secretary of Agriculture on methods to increase rural youth engagement in 21CSC projects;

(VI) the Secretary of Labor on methods to increase the creation of apprenticeships through 21CSC organizations, private-sector employer partnerships, and identifying career pathways aligned with 21CSC projects; and

(VII) the Secretary of Education on methods to increase the recognition of Corpsmembers' experience with 21CSC projects as post-secondary credit at higher education institutions.

(C) *REPORTING.*—

(i) *21CSC REPORTS.*—

(I) *REPORT TO CONGRESS.*—As soon as practicable after the date of enactment of the 21st Century Conservation Service Corps Act, the Chief Executive Officer of the Corporation for National and Community Service, in coordination with the head of each participating entity, shall submit to Congress a report that includes data, for the year covered by the report, including—

(aa) the number of Corpsmembers that carried out 21CSC projects and the length of the term of service for each Corpsmember;

(bb) the total amount of funding provided by participating entities for the service of Corpsmembers;

(cc) the type of service performed by Corpsmembers and the impact and accomplishments of the service; and

(dd) any other similar data determined by the Chief Executive Officer of the Corporation for National and Community Service or the head of a participating entity to be appropriate, including data sufficient to determine

the effectiveness of 21CSC organizations in carrying out activities to achieve the purposes of this title in a manner that—

(AA) is cost-effective; and

(BB) does not unduly duplicate or overlap with any other activity or program carried out by any other Federal agency.

(II) DATA FROM PARTICIPATING ENTITIES.—Not later than 1 year after the date of enactment of the 21st Century Conservation Service Corps Act, and annually thereafter, the head of each participating entity shall submit to the Chief Executive Officer of the Corporation for National and Community Service the data described in items (aa) through (dd) of subclause (I).

(III) DATA COLLECTION.—The Chief Executive Officer of the Corporation for National and Community Service may coordinate with individual 21CSC organizations to improve the collection of the required data described in items (aa) through (dd) of subclause (I).

(ii) COMPTROLLER GENERAL REPORTS.—

(I) IN GENERAL.—The Comptroller General of the United States shall prepare and submit to Congress—

(aa) not later than 3 years after the date of submission of the first report under clause (i)(I), an interim report; and

(bb) not later than 5 years after the date of submission of the first report under that clause, a final report.

(II) CONTENTS.—The interim and final reports referred to in subclause (I) shall include—

(aa) an assessment, based on the data described in items (aa) through (dd) of clause (i)(I), of the effectiveness of 21CSC organizations in achieving the purposes of this title in a manner that—

(AA) is cost-effective; and

(BB) does not unduly duplicate or overlap with any other activity or program carried out by any other Federal agency; and

(bb) recommendations on how to more effectively manage and carry out 21CSC projects to achieve the purposes of this title in the manner described in item (aa).

(III) ADDITIONAL REPORTS.—The Comptroller General of the United States may submit to Congress any additional report that includes the content described in subclause (II), as the Comptroller General determines to be necessary.

(4) GIFTS AND DONATIONS.—The head of a participating entity may accept, use, or dispose of a contribution that is a gift or donation of money, services, or property to support the develop-

ment, implementation, and expansion of a 21CSC project, in accordance with applicable law (including regulations).

(5) COOPERATIVE AGREEMENTS WITH 21CSC ORGANIZATIONS.—

(A) IN GENERAL.—The head of each participating entity may—

(i) develop a public-private partnership with a 21CSC organization by entering into a cooperative agreement with the 21CSC organization to support and carry out 21CSC projects; and

(ii) leverage existing resources described in section 210(b) to support a cooperative agreement.

(B) TYPE OF COOPERATIVE AGREEMENT.—A cooperative agreement under this paragraph may—

(i) be limited to an agreement for a specific 21CSC project;

(ii) be a broad agreement covering multiple planned or future 21CSC projects; or

(iii) be an agreement for a 21CSC project to be part of a broader 21CSC initiative carried out in partnership with—

(I) the Federal Government;

(II) a State government; or

(III) a tribal agency.

(C) SET SHARE.—A cooperative agreement under this paragraph shall include a provision specifying the cost share that the 21CSC organization will provide under section 210(c).

(d) 21CSC ORGANIZATIONS.—

(1) IN GENERAL.—To be considered and approved as a 21CSC organization, an organization shall, to the maximum extent practicable, demonstrate the ability to meet, and provide assurances that the organization will meet, each requirement described in paragraphs (2) through (6).

(2) 21CSC CORPSMEMBERS ENGAGED BY 21CSC ORGANIZATIONS.—

(A) IN GENERAL.—In addition to meeting the requirement of subparagraph (B), any individual selected by a 21CSC organization to carry out a 21CSC project shall, to the maximum extent practicable, be—

(i) a youth, notwithstanding paragraphs (3) and (4) of section 137(a) of the National and Community Service Act of 1990 (42 U.S.C. 12591(a)) in the case of any Corpsmember participating in a 21CSC project supported and carried out by the Corporation for National and Community Service; or

(ii) a veteran not older than age 35.

(B) CITIZENSHIP REQUIREMENT.—Any individual selected as a Corpsmember shall be—

(i) a citizen or national of the United States;

(ii) a lawful permanent resident of the United States;

or

(iii) a citizen of the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau and admitted to the United States as a non-

immigrant under the terms of the applicable Compact of Free Association with the United States.

(C) *EMPHASIS ON DIVERSITY AND INCLUSION.—In selecting a Corpsmember, a 21CSC organization shall make deliberate outreach efforts to engage an individual who—*

(i) lives in the State or region of the 21CSC organization; and

(ii) represents a traditionally underserved population, including veterans, Indians, and disadvantaged youth (as defined in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511)).

(3) *COMPENSATION FOR PARTICIPANTS.—A 21CSC organization shall provide compensation to each Corpsmember that includes 1 or more of the following:*

(A) A wage.

(B) A stipend.

(C) A living allowance.

(D) An educational credit that may be applied towards a program of postsecondary education at an institution of higher education that agrees to award the credit for participation in a 21CSC project.

(4) *ORGANIZATION OF SERVICE FOR PARTICIPANTS.—*

(A) IN GENERAL.—In carrying out a 21CSC project, a 21CSC organization shall, to the maximum extent practicable, organize each Corpsmember as—

(i) a crew-based participant who—

(I) serves together with other crew-based participants; and

(II) is directly supervised by a trained and experienced crew-based leader or conservation professional; or

(ii) an individual or small team-based participant who serves—

(I) individually or in a coordinated small team, as applicable;

(II) under the direction of a conservation professional; and

(III) on an initiative that requires specific skills and dedicated attention.

(B) VETERAN AND CIVILIAN COOPERATION.—A 21CSC organization shall, to the maximum extent practicable, encourage cooperation among veteran and civilian Corpsmembers.

(5) *21CSC PROJECTS.—A 21CSC organization shall carry out a 21CSC project that includes national service, and may be a priority project, involving—*

(A) the conservation, restoration, and enhancement of—

(i) a unit of the National Park System or National Forest System;

(ii) public or tribal land or water; or

(iii) natural, cultural, or historical resources or treasures;

(B) the conservation, restoration, management, and development of the natural resources and infrastructure of the United States, including—

- (i) removal of invasive species;
- (ii) wildfire prevention and response;
- (iii) disaster resiliency, mitigation, response, and recovery;
- (iv) trail development and maintenance;
- (v) coastal restoration and resiliency;
- (vi) historic preservation;
- (vii) public safety;
- (viii) energy efficiency and alternative energy;
- (ix) water infrastructure;
- (x) construction, repair, rehabilitation, or maintenance of—
 - (I) a road;
 - (II) a campground; or
 - (III) any other recreation or visitor facility or housing structure; and
- (xi) any other related project that furthers the purposes of this title;
- (C) the support, development, and enhancement of outdoor recreation or urban green space for the purpose of public access;
- (D) service that is primarily indoors, such as service in a science, policy, or program internship, with a clear benefit for natural, cultural, or historic resources or treasures, which may include the provision of interpretation and education services to—
 - (i) the public; or
 - (ii) a cooperating association, educational institution, friends group, or similar nonprofit partner organization; and
- (E) notwithstanding section 132A of the National and Community Service Act of 1990 (42 U.S.C. 12584a), a project described in this paragraph on private land or water in partnership with a private entity if—
 - (i) the project has a direct or recognized public or environmental benefit; or
 - (ii) the funding for the project originated from a governmental entity, regardless of the end payor.
- (6) 21CSC CORPSMEMBERS.—In carrying out a 21CSC project, a 21CSC organization shall provide each Corpsmember with—
 - (A) in-demand skills development, certification and credentials, and education to prepare the Corpsmember for success in transitioning to the 21st century workforce;
 - (B) community skill development to help the Corpsmember—
 - (i) acquire an ethic of service to others and the United States; and
 - (ii) become a more effective natural resource and community steward; and
 - (C) a greater understanding of the natural, cultural, or historic resources or treasures of the United States.
- (e) CORPSMEMBER COMPENSATION AND EMPLOYMENT STANDARDS.—
 - (1) CORPSMEMBER COMPENSATION STANDARD.—

(A) *SPECIFIC WAGE RATES.*—A form of compensation provided under subparagraph (A), (B), or (C) of subsection (d)(3) shall be considered to be established at a specific wage rate, in the same manner as the compensation provided for a living allowance under section 140 of the National and Community Service Act of 1990 (42 U.S.C. 12594).

(B) *COMPENSATION FOR CERTAIN CORPSMEMBERS.*—The compensation provided under subsection (d)(3) to a Corpsmember who is not a participant in a 21CSC project supported by the Corporation for National and Community Service shall not be subject to any provision of (including a regulation under) the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) relating to a wage rate, but shall be considered to be established at a specific wage rate, in the manner described in subparagraph (A).

(C) *RULE OF CONSTRUCTION.*—Nothing in subparagraph (A) applies a specific wage rate for a living allowance that is established under section 140 of the National and Community Service Act of 1990 (42 U.S.C. 12594) to the compensation of a Corpsmember under subsection (d)(3).

(2) *CORPSMEMBER EMPLOYMENT STANDARD.*—

(A) *IN GENERAL.*—Except as provided in subparagraphs (B) and (C), in parity with section 101(30) of the National and Community Service Act of 1990 (42 U.S.C. 12511(30)), a Corpsmember shall be considered to be a participant (as defined in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511)), not an employee, of the 21CSC organization for which the Corpsmember serves.

(B) *FEDERAL EMPLOYMENT PROVISIONS.*—Notwithstanding subparagraph (A), Federal employment provisions shall apply to a Corpsmember to the extent that those provisions apply to a participant or crew leader under section 199M(b) of the National and Community Service Act of 1990 (42 U.S.C. 12655n(b)).

(C) *CHILD LABOR PROVISIONS.*—Notwithstanding subparagraph (A)—

(i) the child labor provisions under section 12 of the Fair Labor Standards Act of 1938 (29 U.S.C. 212) (including any order or regulation issued under the authority of such section or section 3(l) of such Act (29 U.S.C. 203(l))) shall apply to a Corpsmember and the 21CSC organization for which the Corpsmember serves in the same manner as such provisions apply to an employee and an employer under such Act; and

(ii) a violation of a section specified in clause (i) by a 21CSC organization shall be enforced by the Secretary of Labor in the same manner, and subject to the same penalties under the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), as a violation by an employer of section 12 of such Act (29 U.S.C. 212).

(3) *CIVIL SERVICE.*—An individual may be enrolled as a Corpsmember without regard to the civil service and classification laws, rules, or regulations.

SEC. 205. CONSERVATION CENTERS AND PROGRAM SUPPORT.**(a) ESTABLISHMENT AND USE.—**

(1) **IN GENERAL.**—The **【Secretary】** *head of a participating entity* may establish and use conservation centers owned and operated by the **【Secretary】** *head of a participating entity* for—

(A) use by the **【Public Lands Corps】** *21CSC*; and

(B) the conduct of appropriate **【conservation projects】** *21CSC projects* under this title.

(2) **ASSISTANCE FOR CONSERVATION CENTERS.**—The **【Secretary】** *head of a participating entity* may provide to a conservation center established under paragraph (1) any services, facilities, equipment, and supplies that the **【Secretary】** *head of a participating entity* determines to be necessary for the conservation center.

(3) **STANDARDS FOR CONSERVATION CENTERS.**—The **【Secretary】** *head of a participating entity* shall—

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

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

(4) **MANAGEMENT.**—As the **【Secretary】** *head of a participating entity* determines to be appropriate, the **【Secretary】** *head of a participating entity* may enter into a contract or other appropriate arrangement with a State or local government agency or private organization to provide for the management of a conservation center.

(b) LOGISTICAL SUPPORT, TEMPORARY HOUSING, AND TRANSPORTATION.—【The Secretary】**(1) LOGISTICAL SUPPORT.—**

(A) **IN GENERAL.**—*The head of a participating entity* may make arrangements with the Secretary of Defense to have logistical support provided by the Armed Forces to **【the Corps】** *the 21CSC* and any conservation center established under this section, where feasible. **【Logistical support】**

(B) **INCLUSIONS.**—*Logistical support provided under subparagraph (A)* may include the provision of temporary tent shelters where needed, transportation, and residential supervision.

(2) **TEMPORARY HOUSING.**—*The head of a participating entity may make arrangements with another Federal agency or a State, local government, or private organization to provide temporary housing for Corpsmembers as needed and available.*

(3) **TRANSPORTATION.**—*The head of a participating entity may provide transportation to and from 21CSC project sites for Corpsmembers that reside in their own homes.*

(c) **USE OF MILITARY INSTALLATIONS.**—**【The Secretary】** *The head of a participating entity* 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】** *the 21CSC for training or housing Corpsmembers.*

(d) ASSISTANCE.—【The Secretary】 *The head of a participating entity* may provide any services, facilities, equipment, supplies, technical assistance, oversight, monitoring, or evaluations that are appropriate to carry out this title.

SEC. 206. RESOURCE ASSISTANTS.

(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 to carry out research or resource protection activities on behalf of the agency.】

(1) *IN GENERAL.*—*The head of a participating entity may provide individual placements of resource assistants to carry out research or resource protection activities on behalf of the participating entity. 【To be eligible】*

(2) *ELIGIBILITY.*—*To be eligible* for selection as a resource assistant, an individual must be at least 17 years of age. 【The Secretary】

(3) *SELECTION.*—*The head of a participating entity may select resource assistants without regard to the civil service and classification laws, rules, or regulations of the United States. 【The Secretary】*

(4) *PREFERENCE.*—*The head of a participating entity 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 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.】

(b) *PREFERENCE FOR THE USE OF 21CSC ORGANIZATIONS.*—

(1) *IN GENERAL.*—*If the head of a participating entity determines that a 21CSC organization can provide appropriate recruitment and placement services to fulfill the requirements of this section, the head of the participating entity may implement this section through a 21CSC organization.*

(2) *CONTRIBUTION TO EXPENSES.*—*A 21CSC organization providing recruitment and placement services under paragraph (1) shall contribute to the expenses of providing and supporting resource assistants, through 1 or more private sources of funding, at a level equal to 25 percent of the total costs of each partici-*

part in the resource assistant program that has been recruited and placed through the 21CSC organization.

(3) ANNUAL REPORT.—A 21CSC organization providing recruitment and placement services under paragraph (1) shall submit to the head of the applicable participating entity an annual report that evaluates the scope, size, and quality of the resource assistant program carried out by the 21CSC organization, including a description of the value of the work contributed by resource assistants to the mission of the participating entity.

ISEC. 207. 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 2 years after the date on which the member's service with the Public Lands Corps is complete.]

SEC. 207. ELIGIBILITY FOR NONCOMPETITIVE HIRING STATUS.

(a) DEFINITIONS.—*In this section—*

(1) the terms “land management agency” and “time-limited appointment” have the meanings given those terms in section 9601 of title 5, United States Code; and

(2) the term “qualified Corpsmember” means a Corpsmember who is certified by a corresponding participating entity as having successfully completed 640 hours of service with a 21CSC organization.

(b) HIRING.—

(1) IN GENERAL.—Subject to paragraph (2) and subsection (c), a qualified Corpsmember shall be eligible for appointment in the competitive service in the same manner as a Peace Corps volunteer as prescribed in Executive Order 11103 (22 U.S.C. 2504 note; relating to Providing for the Appointment of Former Peace Corps Volunteers to the Civilian Career Services), as amended by Executive Order 12107 (44 Fed. Reg. 1055; relating to the Civil Service Commission and Labor-Management in the Federal Service).

(2) PERIOD.—A qualified Corpsmember shall be eligible for an appointment under paragraph (1) during the 2-year period beginning on the date on which the Corpsmember completes the 640 hours of service required under subsection (a)(2).

(3) TIME-LIMITED APPOINTMENT.—For purposes of section 9602 of title 5, United States Code, a qualified Corpsmember hired by a participating entity that is a land management agen-

cy for a time-limited appointment shall be considered to be appointed initially under open, competitive examination.

(c) **SERVICE HOURS.**—

(1) **IN GENERAL.**—*The 640 hours of service required under subsection (a)(2) may include service on 1 or more projects carried out by a Corpsmember with 1 or more participating entities during 1 or more terms of service in a 21CSC organization.*

(2) **COMPETITIVE SERVICE.**—*To be eligible for noncompetitive hiring status under subsection (b), a Corpsmember shall perform the 640 hours of service required under subsection (a)(2)—*

(A) carrying out a project on public or tribal land or water; or

(B) in service with, or on a project supported in whole or in part by, a participating entity.

(3) **PRIORITIES.**—*The head of each participating entity is encouraged, to the maximum extent practicable, to identify a sufficient number of 21CSC projects on public or tribal land or water that are aligned with the priorities of the participating entity so as to facilitate the attainment of the 640 hours of service by Corpsmembers required under subsection (a)(2).*

(4) **TRACKING HOURS.**—*Participating entities shall coordinate with 21CSC organizations to identify the most effective and efficient method for tracking and certifying the 640 hours of service required under subsection (a)(2).*

(d) **GUIDANCE.**—*The head of each participating entity, and any subdivision of a participating entity, shall coordinate with the head of each other participating entity, and subdivision of each other participating entity, to implement and issue guidance on eligibility for noncompetitive hiring status under subsection (b) in a uniform manner to—*

(1) improve the efficiency and use of noncompetitive hiring authority; and

(2) minimize inconsistency.

SEC. 208. NATIONAL SERVICE EDUCATIONAL AWARDS.

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

SEC. 209. 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] 21CSC , to all activities carried out under this title by a [qualified youth or conservation corps] *Corpsmember or a 21CSC organization* , and to the selection and service of resource assistants.

SEC. 210. FUNDING.**(a) INVESTMENTS.—**

(1) *IN GENERAL.—In addition to using the funds described in subsections (b) and (c) to fund 21CSC projects, each 21CSC organization shall leverage those funds by soliciting cash or in-kind contributions from public or private sources.*

(2) *METHODS.—A 21CSC organization may leverage funds by soliciting contributions using innovative strategies, such as crowd-funding.*

(b) *EXISTING RESOURCES.—To fund a 21CSC project, the head of each participating entity shall be limited to using existing funds appropriated or allocated to the participating entity, as of the period of implementation of the 21CSC project, under any law or authority other than this title.*

(c) *SET COST SHARE.—A 21CSC organization carrying out a 21CSC project shall provide a cost share of not less than 10 percent of the total cost of the 21CSC project, which may include cash or in-kind contributions from a State, local, or private source.*

[(a)] (d) COST SHARING.—

(1) **PROJECTS BY [QUALIFIED YOUTH OR CONSERVATION CORPS] CORPSMEMBERS OR 21CSC ORGANIZATIONS.—**[The Secretary is authorized to pay not more than 75 percent of the costs of any appropriate 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 in the form of funds, services, facilities, materials, equipment, or any combination of the foregoing.] No cost sharing shall be required in the case of any appropriate conservation project carried out on Indian lands or Hawaiian home lands under this title.

(2) **[PUBLIC LANDS CORPS] 21CSC PROJECTS.—**[The Secretary is authorized to] *The head of a participating entity may accept donations of funds, services, facilities, materials, or equipment for the purposes of operating the [Public Lands Corps] 21CSC and carrying out appropriate conservation projects by [the Corps] the 21CSC . However, nothing in this title shall be construed to require any cost sharing for any project carried out directly by [the Corps] the 21CSC .*

[(b)] (e) 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] *To carry out the 21CSC or to support resource assistants and Corpsmembers or 21CSC organizations under this title, the head of a participating entity shall be eligible to apply for and receive assistance under section 121(b) of the National and Community Service Act of 1990.*

[(c)] (f) 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] 21CSC through other Federal programs or projects.

SEC. 211. INDIAN YOUTH 21ST CENTURY CONSERVATION SERVICE CORPS.

(a) *AUTHORIZATION OF COOPERATIVE AGREEMENTS.*—The head of a participating entity may offer to enter into a cooperative agreement with a tribal agency or a 21CSC organization to establish and administer the Indian Youth 21st Century Conservation Service Corps, which shall carry out 1 or more 21CSC projects on tribal land or water.

(b) *GUIDELINES.*—Not later than 18 months after the date of enactment of the 21st Century Conservation Service Corps Act, the Secretary of the Interior, in consultation with Indian tribes, shall issue guidelines for the management of the Indian Youth 21st Century Conservation Service Corps, in accordance with this Act and any other applicable Federal laws.

SEC. 212. RULE OF CONSTRUCTION.

Except where otherwise provided for in this title, the requirements and authorities provided under this title with respect to Corpsmembers, 21CSC organizations, and participating entities with respect to a 21CSC project shall be in addition to any requirement or authority provided under other Federal law with respect to Corpsmembers, 21CSC organizations, and participating entities with respect to the 21CSC project.

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.

(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) *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.

TITLE 40, UNITED STATES CODE

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SUBTITLE I—FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES

* * * * *

CHAPTER 5—PROPERTY MANAGEMENT

* * * * *

SUBCHAPTER VII—PROPERTY MANAGEMENT

* * * * *

§ 623. Establishment of a Federal Real Property Council

(a) ESTABLISHMENT.—There is established a Federal Real Property Council.

(b) PURPOSE.—The purpose of the Council shall be—

(1) to develop guidance and ensure implementation of an efficient and effective real property management strategy;

(2) to identify opportunities for the Federal Government to better manage property and assets of the Federal Government; and

(3) to reduce the costs of managing property of the Federal Government, including operations, maintenance, and security associated with Federal property.

(c) COMPOSITION.—

(1) IN GENERAL.—The Council shall be composed exclusively of—

(A) the senior real property officers of each Federal agency;

(B) the Deputy Director for Management of the Office of Management and Budget;

(C) the Controller of the Office of Management and Budget;

(D) the Administrator; and

(E) any other full-time or permanent part-time Federal officials or employees, as the Chairperson determines to be necessary.

(2) CHAIRPERSON.—The Deputy Director for Management of the Office of Management and Budget shall serve as Chairperson of the Council.

(3) EXECUTIVE DIRECTOR.—

(A) IN GENERAL.—The Chairperson shall designate an Executive Director to assist in carrying out the duties of the Council.

(B) QUALIFICATIONS.—The Executive Director shall—

(i) be appointed from among individuals who have substantial experience in the areas of commercial real estate and development, real property management, and Federal operations and management; and

(ii) hold no outside employment that may conflict with duties inherent to the position.

(d) MEETINGS.—

(1) IN GENERAL.—The Council shall meet subject to the call of the Chairperson.

(2) MINIMUM.—The Council shall meet not fewer than 4 times each year.

(e) DUTIES.—The Council, in consultation with the Director and the Administrator, shall—

(1) not later than 1 year after the date of enactment of this subchapter, establish a real property management plan template, to be updated annually, which shall include performance measures, specific milestones, measurable savings, strategies, and Government-wide goals based on the goals established under section 524(a)(7) to reduce surplus property or to achieve better utilization of underutilized property, and evaluation criteria to determine the effectiveness of real property management that are designed—

- (A) to enable Congress and heads of Federal agencies to track progress in the achievement of property management objectives on a Government-wide basis;
 - (B) to improve the management of real property; and
 - (C) to allow for comparison of the performance of Federal agencies against industry and other public sector agencies;
 - (2) develop utilization rates consistent throughout each category of space, considering the diverse nature of the Federal portfolio and consistent with nongovernmental space use rates;
 - (3) develop a strategy to reduce the reliance of Federal agencies on leased space for long-term needs if ownership would be less costly;
 - (4) provide guidance on eliminating inefficiencies in the Federal leasing process;
 - (5) compile a list of field offices that are suitable for collocation with other property assets;
 - (6) research best practices regarding the use of public-private partnerships to manage properties and develop guidelines for the use of those partnerships in the management of Federal property; and
 - (7) not later than 1 year after the date of enactment of this subchapter and annually during the 4-year period beginning on the date that is 1 year after the date of enactment of this subchapter and ending on the date that is 5 years after the date of enactment of this subchapter, the Council shall submit to the Director a report that contains—
 - (A) a list of the remaining excess property that is real property, surplus property that is real property, and underutilized property of each Federal agency;
 - (B) the progress of the Council toward developing guidance for Federal agencies to ensure that the assessment required under section 524(a)(11)(B) is carried out in a uniform manner;
 - (C) the progress of Federal agencies toward achieving the goals established under section 524(a)(7);
 - (D) if necessary, recommendations for legislation or statutory reforms that would further the goals of the Council, including streamlining the disposal of excess or underutilized real property; and
 - (E) a list of entities that are consulted under subsection (f).
- (f) CONSULTATION.—In carrying out the duties described in subsection (e), the Council shall also consult with representatives of—
- (1) State, local, and tribal authorities, as appropriate, and other affected communities; and
 - (2) appropriate private sector entities and nongovernmental organizations that have expertise in areas of—
 - (A) commercial real estate and development;
 - (B) government management and operations;
 - (C) space planning;
 - (D) community development, including transportation and planning;
 - (E) historic preservation; and
 - (F) providing housing to the homeless population.

(g) COUNCIL RESOURCES.—The Director and the Administrator shall provide staffing, and administrative support for the Council, as appropriate.

(h) ACCESS TO REPORT.—The Council shall provide, on an annual basis, the real property management plan template required under subsection (e)(1) and the reports required under subsection (e)(7) to—

- (1) the Committee on Homeland Security and Governmental Affairs of the Senate;
- (2) the Committee on Environment and Public Works of the Senate;
- (3) the Committee on Oversight and Government Reform of the House of Representatives;
- (4) the Committee on Transportation and Infrastructure of the House of Representatives; and
- (5) the Comptroller General of the United States.

(i) EXCLUSIONS.—In this section, surplus property shall not include—

- (1) any military installation (as defined in section 2910 of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note; Public Law 101–510));
- (2) any property that is excepted from the definition of the term “property” under section 102;
- (3) Indian and native Eskimo property held in trust by the Federal Government as described in section 3301(a)(5)(C)(iii);
- (4) real property operated and maintained by the Tennessee Valley Authority pursuant to the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831 et seq.);
- (5) any real property the Director excludes for reasons of national security;
- (6) **[any public lands (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722))]** *any land or water (or interest in land or water) owned by the United States (other than Indian land) administered by—*
 - (A) the Secretary of the Interior, acting through—
 - (i) the Director of the Bureau of Land Management;
 - (ii) the Director of the National Park Service;
 - (iii) the Commissioner of Reclamation; or
 - (iv) the Director of the United States Fish and Wildlife Service; or
 - (B) the Secretary of Agriculture, acting through the Chief of the Forest Service; or
- (7) any property operated and maintained by the United States Postal Service.

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DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

* * * * *

DIVISION E—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2012

TITLE I

DEPARTMENT OF THE INTERIOR

* * * * *

HIRING AUTHORITIES

SEC. 121. (a) DIRECT HIRE AUTHORITY.—

(1) During fiscal year 2012 and thereafter, the [Secretary of the Interior] *head of a participating entity (as defined in section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722)) (referred to in this subsection as a “participating entity”)* may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of such title, a qualified candidate described [in paragraph (1) directly to a position with a land managing agency of the Department of the Interior] *in paragraph (2) directly to a position with a participating entity* for which the candidate meets Office of Personnel Management qualification standards.

(2) Paragraph (1) applies with respect to a former resource assistant (as defined in section 203 of the Public Land Corps Act (16 U.S.C. 1722)) who—

(A) completed a rigorous undergraduate or graduate summer internship with a [land managing agency] *participating entity*, such as the National Park Service Business Plan Internship;

(B) successfully fulfilled the requirements of the internship program; and

(C) subsequently earned an undergraduate or graduate degree from an accredited institution of higher education.

(3) The direct hire authority under this subsection may not be exercised with respect to a specific qualified candidate after the end of the two-year period beginning on the date on which the candidate completed the undergraduate or graduate degree, as the case may be.

(b) LOCAL HIRE AUTHORITY.—Section 1308 of the Alaska National Interest Lands Conservation Act of 1980 (16 U.S.C. 3198) is amended—

(1) in subsection (a), by striking “establish a program” and inserting “establish an excepted service appointment authority,”;

(2) in subsection (b), by striking “competitive service as defined in section 2102 of such title for which such person is eligible under subchapter I of chapter 33 of such title, in selection to such position” and inserting “excepted service as defined in section 2103 of such title”;

(3) in subsection (e), by redesignating paragraph (2) as paragraph (3) and inserting after paragraph (1) the following new paragraph (2):

“(2) CONVERSION TO COMPETITIVE SERVICE. Employees who satisfactorily complete two years of continuous service in a permanent appointment made under subsection (a) and who meet satisfactory performance and competitive service qualification requirements shall have their appointment converted to competitive service career-conditional or career employment as appropriate. This paragraph applies to individuals appointed on or after March 30, 2009. An employee who does not meet competitive service qualification requirements after two years of continuous service in an appointment made under subsection (a) shall be converted upon meeting such qualification requirements. Temporary and time-limited appointments will be made in the excepted service. There is no provision for conversion to competitive service when appointments are time-limited.”

(c) GULF OF MEXICO REGION.—For fiscal years 2012 and 2013, funds made available in this title for the Bureau of Ocean Energy Management and the Bureau of Safety and Environmental Enforcement may be used by the Secretary of the Interior to establish higher minimum rates of basic pay for employees of the Department of the Interior in the Gulf of Mexico Region in the Geophysicist (GS-1313), Geologist (GS-1350), and Petroleum Engineer (GS-0881) job series at grades 5 through 15 at rates no greater than 25 percent above the minimum rates of basic pay normally scheduled, and such higher rates shall be consistent with the subsections (e) through (h) of section 5305 of title 5, United States Code.

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NATIONAL AND COMMUNITY SERVICE ACT OF 1990

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TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM

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Subtitle C—National Service Trust Program

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PART III—NATIONAL SERVICE PARTICIPANTS

SEC. 137. DESCRIPTION OF PARTICIPANTS.

(a) IN GENERAL.—For purposes of this subtitle, an individual shall be considered to be a participant in a national service program carried out using assistance provided under section 121 if the individual—

- (1) meets such eligibility requirements, directly related to the tasks to be accomplished, as may be established by the program;

(2) is selected by the program to serve in a position with the program;

(3) is 17 years of age or older at the time the individual begins the term of service;

(4) has received a high school diploma or its equivalent, agrees to obtain a high school diploma or its equivalent (unless this requirement is waived based on an individual education assessment conducted by the program) and the individual did not drop out of an elementary or secondary school to enroll in the program, or is enrolled in an institution of higher education on an ability to benefit basis and is considered eligible for funds under section 484 of the Higher Education Act of 1965 (20 U.S.C. 1091); and

[(5) is a citizen or national of the United States or lawful permanent resident alien of the United States.]

(5) is a citizen or national of the United States or lawful permanent resident alien of the United States, or is a citizen of the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau and admitted to the United States as a nonimmigrant under the terms of the applicable Compact of Free Association with the United States.

(b) SPECIAL RULES FOR CERTAIN YOUTH PROGRAMS.—An individual shall be considered to be a participant in a youth corps program described in section 122(a)(3)(B)(x) that is carried out with assistance provided under section 121(a) if the individual—

(1) satisfies the requirements specified in subsection (a), except paragraph (3) of such subsection; and

(2) is between the ages of 16 and 25, inclusive, at the time the individual begins the term of service.

(c) WAIVER.—The Corporation may waive the requirements of subsection (a)(4) with respect to an individual if the program in which the individual seeks to become a participant conducts an independent evaluation demonstrating that the individual is incapable of obtaining a high school diploma or its equivalent.

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Subtitle H—Investment for Quality and Innovation

* * * * *

PART V—NONPROFIT CAPACITY BUILDING PROGRAM

SEC. 198S. NONPROFIT CAPACITY BUILDING.

(a) DEFINITIONS.—In this section:

(1) INTERMEDIARY NONPROFIT GRANTEE.—The term “intermediary nonprofit grantee” means an intermediary nonprofit organization that receives a grant under subsection (b).

(2) INTERMEDIARY NONPROFIT ORGANIZATION.—The term “intermediary nonprofit organization” means an experienced and capable nonprofit entity with meaningful prior experience in providing organizational development assistance, or capacity

building assistance, focused on small and midsize nonprofit organizations.

(3) NONPROFIT.—The term “nonprofit”, used with respect to an entity or organization, means—

(A) an entity or organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code; and

(B) an entity or organization described in paragraph (1) or (2) of section 170(c) of such Code.

(4) STATE.—The term “State” means each of the several States, [and the District of Columbia] *the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands of the United States* .

(b) GRANTS.—The Corporation shall establish a Nonprofit Capacity Building Program to make grants to intermediary nonprofit organizations to serve as intermediary nonprofit grantees. The Corporation shall make the grants to enable the intermediary nonprofit grantees to pay for the Federal share of the cost of delivering organizational development assistance, including training on best practices, financial planning, grantwriting, and compliance with the applicable tax laws, for small and midsize nonprofit organizations, especially those nonprofit organizations facing resource hardship challenges. Each of the grantees shall match the grant funds by providing a non-Federal share as described in subsection (f).

(c) AMOUNT.—To the extent practicable, the Corporation shall make such a grant to an intermediary nonprofit organization in each State, and shall make such grant in an amount of not less than \$200,000.

(d) APPLICATION.—To be eligible to receive a grant under this section, an intermediary nonprofit organization shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require. The intermediary nonprofit organization shall submit in the application information demonstrating that the organization has secured sufficient resources to meet the requirements of subsection (f).

(e) PREFERENCE AND CONSIDERATIONS.—

(1) PREFERENCE.—In making such grants, the Corporation shall give preference to intermediary nonprofit organizations seeking to become intermediary nonprofit grantees in areas where nonprofit organizations face significant resource hardship challenges.

(2) CONSIDERATIONS.—In determining whether to make a grant the Corporation shall consider—

(A) the number of small and midsize nonprofit organizations that will be served by the grant;

(B) the degree to which the activities proposed to be provided through the grant will assist a wide number of nonprofit organizations within a State, relative to the proposed amount of the grant; and

(C) the quality of the organizational development assistance to be delivered by the intermediary nonprofit grantee, including the qualifications of its administrators and representatives, and its record in providing services to small and midsize nonprofit organizations.

(f) FEDERAL SHARE.—

(1) IN GENERAL.—The Federal share of the cost as referenced in subsection (b) shall be 50 percent.

(2) NON-FEDERAL SHARE.—

(A) IN GENERAL.—The non-Federal share of the cost as referenced in subsection (b) shall be 50 percent and shall be provided in cash.

(B) THIRD PARTY CONTRIBUTIONS.—

(i) IN GENERAL.—Except as provided in clause (ii), an intermediary nonprofit grantee shall provide the non-Federal share of the cost through contributions from third parties. The third parties may include charitable grantmaking entities and grantmaking vehicles within existing organizations, entities of corporate philanthropy, corporations, individual donors, and regional, State, or local government agencies, or other non-Federal sources.

(ii) EXCEPTION.—If the intermediary nonprofit grantee is a private foundation (as defined in section 509(a) of the Internal Revenue Code of 1986), a donor advised fund (as defined in section 4966(d)(2) of such Code), an organization which is described in section 4966(d)(4)(A)(i) of such Code, or an organization which is described in section 4966(d)(4)(B) of such Code, the grantee shall provide the non-Federal share from within that grantee's own funds.

(iii) MAINTENANCE OF EFFORT, PRIOR YEAR THIRD-PARTY FUNDING LEVELS.—For purposes of maintaining private sector support levels for the activities specified by this program, a non-Federal share that includes donations by third parties shall be composed in a way that does not decrease prior levels of funding from the same third parties granted to the nonprofit intermediary grantee in the preceding year.

(g) RESERVATION.—Of the amount authorized to provide financial assistance under this subtitle, there shall be made available to carry out this section \$5,000,000 for each of fiscal years 2010 through 2014.

* * * * *

PUBLIC LAW 91-378

[Commonly known as the “Youth Conservation Corps Act of 1970”]

TITLE I—YOUTH CONSERVATION CORPS

* * * * *

YOUTH CONSERVATION CORPS

SEC. 102. (a) To carry out the purposes of this title, there is established in the Department of the Interior and the Department of Agriculture a Youth Conservation Corps (hereinafter in this title referred to as the “Corps”). The Corps shall consist of young men and women who are permanent residents of the United States, its

territories, possessions, [trust territories, or] *or the Commonwealth of Puerto Rico (or who are citizens of the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau and admitted to the United States as nonimmigrants under the terms of the applicable Compact of Free Association with the United States)*, who have attained age fifteen but have not attained age nineteen, and whom the Secretary of the Interior or the Secretary of Agriculture may employ without regard to the civil service or classification laws, rules, or regulations, for the purpose of developing, preserving, or maintaining lands and waters of the United States.

(b) The Corps shall be open to youth from all parts of the country of both sexes and youth of all social, economic, and racial classifications with all Corps members receiving compensation consistent with work accomplished, and with no person being employed as a member of the Corps for a term in excess of ninety days during any single year.

* * * * *

GRANT PROGRAM FOR STATE PROJECTS

SEC. 104. (a) The Secretary of the Interior and the Secretary of Agriculture shall jointly establish a program under which grants shall be made to States to assist them in meeting the cost of projects for the employment of young men and women to develop, preserve, and maintain non-Federal public lands and waters within the States. For purposes of this section, the term "States" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, [the Trust Territory of the Pacific Islands, and American Samoa] *American Samoa, and the Commonwealth of the Northern Mariana Islands.*

(b)(1) No grant may be made under this section unless an application therefor has been submitted to, and approved by, the Secretary of the Interior and the Secretary of Agriculture. Such application shall be in such form, and submitted in such manner, as the Secretaries shall jointly by regulation prescribe, and shall contain—

(A) assurances satisfactory to the Secretaries that individuals employed under the project for which the application is submitted shall—(i) have attained the age of fifteen but not attained the age of nineteen, (ii) be permanent residents of the United States or its territories[, possessions, or the Trust Territory of the Pacific Islands] *or possessions (or the citizens of the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau and admitted to the United States as nonimmigrants under the terms of the applicable Compact of Free Association with the United States)*, (iii) be employed without regard to the personnel laws, rules, and regulations applicable to full-time employees of the applicant, (iv) be employed for a period of not more than ninety days in any calendar year, and (v) be employed without regard to their sex or social, economic, or racial classification; and

(B) such other information as the Secretaries may jointly by regulation prescribe.

(2) The Secretaries may approve applications which they determine (A) to meet the requirements of paragraph (1), and (B) are for projects which will further the development, preservation, or maintenance of non-Federal public lands or waters within the jurisdiction of the applicant.

(c)(1) The amount of any grant under this section shall be determined jointly by the Secretaries, except that no grant for any project may exceed 80 per centum of the cost (as determined by the Secretaries) of such project.

(2) Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretaries find necessary.

(d) Thirty per centum of the sums appropriated under section 106 for any fiscal year shall be made available for grants under this section for such fiscal year.

* * * * *

COMMITTEE CORRESPONDENCE

U.S. House of Representatives
Committee on Agriculture
Room 1301, Longworth House Office Building
Washington, DC 20515-6001

(202) 225-2171

February 8, 2018

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The Honorable Rob Bishop
Chairman
Committee on Natural Resources
1324 Longworth HOB
Washington, D.C. 20515

2CVD
FEB 08 2018

Dear Mr. Chairman:

Thank you for the opportunity to review H.R. 2987, the 21st Century Conservation Service Corps Act of 2017. As you are aware, the bill was primarily referred to the Committee on Natural Resources, while the Agriculture Committee received an additional referral.

I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, I agree to discharge H.R. 2987 from further consideration by the Committee on Agriculture. I do so with the understanding that by discharging the bill, the Committee on Agriculture does not waive any future jurisdictional claim on this or similar matters. Further, the Committee on Agriculture reserves the right to seek the appointment of conferees, if it should become necessary.

I ask that you insert a copy of our exchange of letters into the *Congressional Record* during consideration of this measure on the House floor.

Thank you for your courtesy in this matter and I look forward to continued cooperation between our respective committees.

Sincerely,

K. Michael Conaway
Chairman

cc: The Honorable Paul D. Ryan, Speaker
The Honorable Collin C. Peterson
The Honorable Raul Grijalva
The Honorable Thomas J. Wickham, Parliamentarian

ROB BISHOP OF UTAH
CHAIRMAN

CODY STEWART
STAFF DIRECTOR

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DEMOCRATIC STAFF DIRECTOR

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515
February 8, 2018

The Honorable K. Michael Conaway
Chairman
Committee on Agriculture
1301 Longworth HOB
Washington, DC 20515

Dear Mr. Chairman:

I thank you for agreeing to discharge the Committee on Agriculture from further consideration of H.R. 2987, the 21st Century Conservation Service Corps Act, that the Committee on Natural Resources ordered favorably reported, as amended, on January 17, 2018.

This concession in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Agriculture represented on the conference committee. Finally, I would be pleased to include this letter and your response in the bill report and in the Congressional Record.

Thank you for your consideration of my request and for the extraordinary cooperation shown by you and your staff over many matters of shared jurisdiction. I look forward to further opportunities to work with you this Congress.

Sincerely,



Rob Bishop
Chairman
Committee on Natural Resources

cc: The Honorable Paul D. Ryan, Speaker
The Honorable Kevin McCarthy, Majority Leader
The Honorable Raul Grijalva, Ranking Member, Committee on Natural Resources
The Honorable Thomas J. Wickham, Jr., Parliamentarian

