

117TH CONGRESS
1ST SESSION

S. 1370

To establish a Restore Employment in Natural and Environmental Work Conservation Corps in the Department of the Interior and the Department of Agriculture, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 26, 2021

Mr. DURBIN introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To establish a Restore Employment in Natural and Environmental Work Conservation Corps in the Department of the Interior and the Department of Agriculture, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Restore Employment
5 in Natural and Environmental Work Conservation Corps
6 Act” or the “RENEW Conservation Corps Act”.

7 **SEC. 2. FINDINGS AND PURPOSES.**

8 (a) FINDINGS.—Congress finds that—

1 (1) as a result of the Coronavirus Disease 2019
2 (COVID–19) pandemic, more than 40,000,000 peo-
3 ple in the United States have filed claims for unem-
4 ployment benefits since March 2020, which is a level
5 of unemployment not seen since the Great Depres-
6 sion;

7 (2) investments in fish, wildlife, and habitat
8 restoration and outdoor recreation infrastructure
9 generate as many as 33 jobs per \$1,000,000 in-
10 vested, as demonstrated by the American Recovery
11 and Reinvestment Act of 2009 (Public Law 111–5;
12 123 Stat. 115);

13 (3) the outdoor recreation economy—

14 (A) generates \$887,000,000,000 in eco-
15 nomic activity each year, which is 2.2 percent
16 of the gross domestic product of the United
17 States, according to the Bureau of Economic
18 Analysis; and

19 (B) was 1 of the fastest growing sectors of
20 the United States economy before the
21 Coronavirus Disease 2019 (COVID–19) pan-
22 demic;

23 (4) the demand for outdoor recreation has in-
24 creased dramatically during the Coronavirus Disease
25 2019 (COVID–19) pandemic;

1 (5) the Federal Government and State and local
2 governments and agencies have many “shovel-ready”
3 projects and green infrastructure maintenance back-
4 log projects that would—

5 (A) improve the quality of life and outdoor
6 experiences of people of the United States;

7 (B) make communities, especially commu-
8 nities that are traditionally underserved, more
9 resilient to climate change, natural disasters,
10 and wildfires; and

11 (C) provide access to outdoor recreation
12 opportunities to all people of the United States;

13 (6) many facilities and natural resources lo-
14 cated on dedicated conservation land are in disrepair
15 or degraded and in need of labor-intensive rehabili-
16 tation, restoration, and enhancement work that can-
17 not be carried out at existing staffing levels;

18 (7) enhancing and maintaining environmentally
19 and recreationally important land and waters
20 through the participation of unemployed individuals
21 in the United States in a conservation corps could—

22 (A) provide critical employment, education,
23 and skill development opportunities to the indi-
24 viduals;

1 (B) prepare the individuals for permanent
2 jobs in the conservation field; and

3 (C) benefit the economy and environment
4 of the United States; and

5 (8) existing networks of conservation corps are
6 in place but need additional resources in order to
7 scale up the activities of the conservation corps to
8 meet growing deferred maintenance needs on public
9 land.

10 (b) PURPOSES.—The purposes of this Act are—

11 (1) to employ, during the 5-year period begin-
12 ning on the date of enactment of this Act, a total
13 of 1,000,000 people in the United States in dedi-
14 cated conservation land projects to support the
15 growing backlog of deferred conservation land
16 projects;

17 (2) to expose Participants to public service
18 while furthering the understanding and appreciation
19 of the Participants of the natural and cultural re-
20 sources of the United States;

21 (3) to stimulate interest among Participants in
22 conservation careers by exposing the Participants to
23 conservation professionals in land management
24 agencies; and

1 (4) to build on the existing network of con-
2 servation corps organizations working across the
3 United States while providing for expanded partici-
4 pation in urban centers.

5 **SEC. 3. DEFINITIONS.**

6 In this Act:

7 (1) CORPS.—The term “Corps” means the Re-
8 store Employment in Natural and Environmental
9 Work Conservation Corps established by section
10 4(a).

11 (2) COUNCIL.—The term “Council” means the
12 National Council on the Restore Employment in
13 Natural and Environmental Work Conservation
14 Corps established under section 6(a).

15 (3) ELIGIBLE AGENCY OR ORGANIZATION.—The
16 term “eligible agency or organization” means—

17 (A) a unit of local government;

18 (B) a land trust;

19 (C) a conservation nonprofit organization;

20 or

21 (D) a qualified youth service and conserva-
22 tion corps, including—

23 (i) an organization established
24 under—

1 (I) the National and Community
2 Service Act of 1990 (42 U.S.C. 12501
3 et seq.);

4 (II) title I of Public Law 91–378
5 (commonly known as the “Youth Con-
6 servation Corps Act of 1970”) (16
7 U.S.C. 1701 et seq.); or

8 (III) the Public Lands Corps Act
9 of 1993 (16 U.S.C. 1721 et seq.), in-
10 cluding the Indian Youth Service
11 Corps authorized under section 210 of
12 that Act (16 U.S.C. 1727b);

13 (ii) the Urban Youth Corps authorized
14 under section 106 of the National and
15 Community Service Trust Act of 1993 (42
16 U.S.C. 12656);

17 (iii) a qualified urban youth corps (as
18 defined in section 106(c)(3) of the Na-
19 tional and Community Service Trust Act of
20 1993 (42 U.S.C. 12656(c)(3))); and

21 (iv) the Healthy Futures Corps estab-
22 lished under section 122(a)(2)(A) of the
23 National and Community Service Act of
24 1990 (42 U.S.C. 12572(a)(2)(A)).

1 (4) ELIGIBLE PARTICIPANT.—The term “eligi-
2 ble participant” means an individual who—

3 (A) is 16 years of age or older at the time
4 the individual begins the term of service as a
5 Participant; and

6 (B) is a citizen or national of the United
7 States or lawful permanent resident alien of the
8 United States.

9 (5) ELIGIBLE PROJECT.—The term “eligible
10 project” means any of the following:

11 (A) A project to plant trees.

12 (B) A project for the restoration and man-
13 agement of wildlife habitat.

14 (C) A project to control invasive species.

15 (D) A project for the conduct of prescribed
16 burns, hazardous fuels reduction, or invasive
17 species removal.

18 (E) A project for the restoration of
19 streams, wetlands, and other aquatic eco-
20 systems, including the Great Lakes and coastal
21 areas.

22 (F) A project to monitor water quality in
23 streams and lakes.

24 (G) A project to assist with the conduct of
25 fish and wildlife surveys.

1 (H) A project for the construction or main-
2 tenance of trails, bridges, campgrounds, picnic
3 shelters, or other recreational amenities for use
4 by the public.

5 (I) A project for the construction or main-
6 tenance of parks and playgrounds.

7 (J) A project to restore brownfield sites
8 (as defined in section 101 of the Comprehensive
9 Environmental Response, Compensation, and
10 Liability Act of 1980 (42 U.S.C. 9601)) in
11 urban areas.

12 (K) A project to construct rain gardens,
13 grass waterways, pollinator gardens, or green
14 schoolyards.

15 (L) A project for the development of urban
16 gardens and farms.

17 (M) A project to plant native grasslands.

18 (N) A project to provide environmental in-
19 terpretation or outdoor education.

20 (O) A project to improve community resil-
21 iency to climate change and natural disasters,
22 such as the installation of bioswales and per-
23 meable surfaces.

1 (P) A project for the collection, storage,
 2 and propagation of native seed and plant mate-
 3 rials.

4 (Q) Any other project determined to be ap-
 5 propriate by the Secretaries.

6 (6) INDIAN TRIBE.—The term “Indian Tribe”
 7 has the meaning given the term in section 4 of the
 8 Indian Self-Determination and Education Assistance
 9 Act (25 U.S.C. 5304).

10 (7) OPPORTUNITY YOUTH.—The term “oppor-
 11 tunity youth” means an individual who—

12 (A) is not younger than the age of 16 or
 13 older than the age of 24; and

14 (B) is not enrolled in school or partici-
 15 pating in the labor market.

16 (8) PARTICIPANT.—The term “Participant”
 17 means an eligible participant enrolled in the Corps.

18 (9) PROGRAM PARTNER.—The term “Program
 19 partner” means—

20 (A) a State or Indian Tribe administering
 21 a program for eligible projects or a grant pro-
 22 gram under subsection (a) or (b) of section 5,
 23 as applicable; and

1 (B) an eligible agency or organization car-
 2 rying out eligible projects under section
 3 5(a)(3)(B).

4 (10) SECRETARIES.—The term “Secretaries”
 5 means the Secretary of Agriculture and the Sec-
 6 retary of the Interior, acting jointly.

7 (11) STATE.—The term “State” means each of
 8 the several States, the District of Columbia, the
 9 Commonwealth of Puerto Rico, and any other terri-
 10 tory or possession of the United States.

11 **SEC. 4. RESTORE EMPLOYMENT IN NATURAL AND ENVI-**
 12 **RONMENTAL WORK CONSERVATION CORPS.**

13 (a) ESTABLISHMENT.—There is established in the
 14 Department of the Interior and the Department of Agri-
 15 culture the Restore Employment in Natural and Environ-
 16 mental Work Conservation Corps program under which
 17 Participants shall carry out—

18 (1) eligible projects administered by the Secre-
 19 taries under this section; and

20 (2) eligible projects administered by Program
 21 partners under subsection (a) or (b) of section 5.

22 (b) PARTICIPANTS.—

23 (1) IN GENERAL.—The Corps shall consist of—

24 (A) eligible participants who are enrolled
 25 in the Corps by the Secretaries; and

1 (B) eligible participants who are enrolled
2 in the Corps by Program partners.

3 (2) REQUIREMENT.—In enrolling eligible par-
4 ticipants in the Corps under paragraph (1), the Sec-
5 retaries and Program partners shall ensure that
6 Participants reflect the demographics of the area in
7 which the Participants are carrying out an eligible
8 project.

9 (3) WORK EXPERIENCE.—The Secretaries and
10 Program partners shall provide Participants—

11 (A) meaningful, full-time, productive work
12 in a natural or cultural resource setting;

13 (B) a mix of work experience, basic and
14 life skills, education, training, and support serv-
15 ices; and

16 (C) the opportunity to develop an ethic of
17 citizenship, community service, and environ-
18 mental stewardship through service to the com-
19 munity and the United States.

20 (c) TERMS AND COMPENSATION.—

21 (1) TERM.—Participants shall serve for a term
22 of at least 12 weeks, but not more than 1 year.

23 (2) COMPENSATION.—

24 (A) WAGES.—Participants shall be com-
25 pensated at a wage rate that is appropriate for

1 the type of work performed by the Participant,
2 but not less than \$15 per hour (to be increased
3 each year based on increases in the Consumer
4 Price Index for the year).

5 (B) EDUCATIONAL CREDIT; TUITION AS-
6 SISTANCE.—If a Participant completes at least
7 1 year of service in the Corps, the Participant
8 shall be eligible for—

9 (i) an educational credit that may be
10 applied toward a program of postsecondary
11 education at an institution of higher edu-
12 cation that agrees to award the credit for
13 participation in the Corps; and

14 (ii) not more than \$5,500 in tuition
15 assistance to the Participant for purposes
16 of continuing education.

17 (d) TRAINING; APPRENTICESHIPS.—The Secretaries
18 and Program partners shall—

19 (1) ensure that 20 to 50 percent of the term of
20 a Participant in the Corps is dedicated to education,
21 training, and workforce readiness activities; and

22 (2) provide curricula to Participants that im-
23 prove the future job prospects of Participants, in-
24 cluding through making available to Participants

1 registered apprenticeships and other professional li-
 2 censes or certifications.

3 (e) ADDITIONAL DUTIES AND RESPONSIBILITIES OF
 4 PROGRAM PARTNERS WITH RESPECT TO OPPORTUNITY
 5 YOUTH.—A Program partner that enrolls Participants
 6 that are opportunity youth—

7 (1) shall provide to the opportunity youth—

8 (A) supervision and training;

9 (B) adult mentoring; and

10 (C) education, which may include—

11 (i) basic instruction and remedial edu-
 12 cation;

13 (ii) language instruction for individ-
 14 uals with limited English proficiency;

15 (iii) secondary education services and
 16 activities, including dropout prevention and
 17 tutoring; and

18 (iv) other activities that are delivered
 19 in conjunction with project-based service-
 20 learning to the maximum extent prac-
 21 ticable;

22 (2) may provide to the opportunity youth—

23 (A) services to assist in the preparation
 24 for, and access to, postsecondary education op-
 25 portunities, including—

- 1 (i) counseling; and
- 2 (ii) assistance with applying for stu-
- 3 dent financial aid;
- 4 (B) employability training, which may in-
- 5 clude—
- 6 (i) development of basic skills, such
- 7 as—
- 8 (I) arriving on time to work;
- 9 (II) being prepared to work;
- 10 (III) following directions;
- 11 (IV) working independently;
- 12 (V) working with others;
- 13 (VI) working safely; and
- 14 (VII) demonstrating a commit-
- 15 ment to produce high-quality work;
- 16 (ii) career counseling and job search
- 17 assistance; and
- 18 (iii) pathways to family sustaining
- 19 jobs; and
- 20 (C) supportive services, which may in-
- 21 clude—
- 22 (i) health care, including mental
- 23 health care, such as drug and alcohol
- 24 abuse counseling;
- 25 (ii) child care; and

1 (iii) transportation.

2 (f) CERTIFICATE OF COMPLETION.—The Secretaries
3 shall provide each Participant with a certificate of comple-
4 tion bearing the signature of the Secretaries on the com-
5 pletion of a term of service in the Corps.

6 **SEC. 5. STATE, TRIBAL, AND LOCAL FUNDING PROGRAM**
7 **FOR ELIGIBLE PROJECTS.**

8 (a) APPORTIONMENT TO STATES.—

9 (1) IN GENERAL.—For each fiscal year, subject
10 to paragraphs (2) and (3), of the amounts made
11 available for apportionment to the States for that
12 fiscal year under section 7(a)(2), the Secretaries
13 shall apportion—

14 (A) $66\frac{2}{3}$ percent among States based on
15 the proportion that—

16 (i) the number of unemployed individ-
17 uals in each State, as determined based on
18 the most recent data available; bears to

19 (ii) the total number of unemployed
20 individuals in all States as so determined;
21 and

22 (B) $33\frac{1}{3}$ percent among States based on
23 the proportion that—

24 (i) the population of each State; bears
25 to

1 (ii) the population of all States.

2 (2) MINIMUM APPORTIONMENT.—No State
3 shall receive an apportionment under paragraph (1)
4 for a fiscal year in an amount less than
5 \$42,000,000.

6 (3) USE OF FUNDS.—Of the amounts appor-
7 tioned to a State under this subsection for a fiscal
8 year—

9 (A) 50 percent shall be used by the State
10 to administer a program for the conduct of eli-
11 gible projects by Participants enrolled in the
12 program by the States; and

13 (B) 50 percent shall be used by the State
14 to administer a grant program in the State
15 under which the State provides grants to eligi-
16 ble agencies or organizations in the State for
17 the conduct of eligible projects by Participants
18 enrolled by the eligible agencies or organiza-
19 tions, with preference to be given for grants to
20 eligible agencies or organizations described in
21 section 3(3)(D).

22 (b) TRIBAL PROGRAM.—For each fiscal year, the
23 Secretaries shall apportion, in accordance with a formula
24 established by the Secretaries, amounts made available
25 under section 7(a)(3) to Indian Tribes to administer a

1 program for the conduct of eligible projects by Partici-
2 pants enrolled in the program by the Indian Tribe.

3 (c) USE OF FUNDS.—Of the amounts provided to a
4 Program partner for the conduct of eligible projects under
5 this section, the Program partner—

6 (1) may use not more than 20 percent for ad-
7 ministrative costs of administering and carrying out
8 eligible projects (including costs of recruiting and
9 hiring individuals to carry out eligible projects);

10 (2) may use not more than 14 percent to pro-
11 vide continuing education to individuals admin-
12 istering or carrying out eligible projects;

13 (3) may use not more than 8 percent for the
14 cost of equipment and supplies for eligible projects;
15 and

16 (4) shall use the remainder of the amounts for
17 the costs of salaries of individuals administering or
18 carrying out eligible projects.

19 (d) REALLOCATION.—Any funds made available to a
20 State or Indian Tribe under subsection (a) or (b) that are
21 not obligated by the State or Indian Tribe at the end of
22 the third fiscal year beginning after the fiscal year during
23 which the funds were made available shall be withdrawn
24 from the State or Indian Tribe and reallocated by the Sec-
25 retaries to other States and Indian Tribes on the basis

1 of need, as determined by the Secretaries, and in amounts
 2 that the Secretaries determine would best accomplish the
 3 purposes described in section 2(b).

4 **SEC. 6. NATIONAL COUNCIL ON THE RESTORE EMPLOY-**
 5 **MENT IN NATURAL AND ENVIRONMENTAL**
 6 **WORK CONSERVATION CORPS.**

7 (a) ESTABLISHMENT.—The Secretary of the Interior,
 8 the Secretary of Agriculture, the Secretary of Commerce,
 9 the Administrator of the Environmental Protection Agen-
 10 cy, the Chair of the Council on Environmental Quality,
 11 the Director of the Bureau of Indian Affairs, the Chief
 12 Executive Officer of the Corporation for National and
 13 Community Service, and the Assistant Secretary of the
 14 Army for Civil Works, through the execution of a memo-
 15 randum of understanding, shall establish a National Coun-
 16 cil on the Restore Employment in Natural and Environ-
 17 mental Work Conservation Corps.

18 (b) MEMBERSHIP.—

19 (1) IN GENERAL.—The Council shall be com-
 20 posed of—

21 (A) the Director of the Bureau of Indian
 22 Affairs;

23 (B) the Director of the Bureau of Land
 24 Management;

25 (C) the Commissioner of Reclamation;

1 (D) the Chief of the Natural Resources
2 Conservation Service;

3 (E) the Director of the United States Fish
4 and Wildlife Service;

5 (F) the Director of the National Park
6 Service;

7 (G) the Administrator of the National Oce-
8 anic and Atmospheric Administration;

9 (H) the Director of the Office of Surface
10 Mining Reclamation and Enforcement;

11 (I) the Chief of Engineers;

12 (J) the Chief of the Forest Service;

13 (K) the Director of the Office of Personnel
14 Management;

15 (L) the Administrator of the Environ-
16 mental Protection Agency;

17 (M) the Chair of the Council on Environ-
18 mental Quality;

19 (N) the Chief Executive Officer of the Cor-
20 poration for National and Community Service;
21 and

22 (O) other members that the signatories to
23 the memorandum of understanding under sub-
24 section (a) determine to be appropriate for
25 membership on the Council, including—

- 1 (i) the Secretary of Labor;
- 2 (ii) the Secretary of Education;
- 3 (iii) the Secretary of Health and
- 4 Human Services;
- 5 (iv) the Secretary of Housing and
- 6 Urban Development;
- 7 (v) the Secretary of Transportation;
- 8 and
- 9 (vi) the Secretary of Veterans Affairs.

10 (2) CHAIR.—

11 (A) IN GENERAL.—The Council shall select
 12 a Chair of the Council from among the mem-
 13 bers of the Council described in subparagraphs
 14 (A) through (M) of paragraph (1).

15 (B) TERM.—The Chair of the Council
 16 shall serve for a term of 1 year.

17 (c) ANNUAL MEETING.—The Chair of the Council
 18 shall convene annual meetings of the Council during which
 19 the Council shall conduct an assessment of—

- 20 (1) the Corps; and
- 21 (2) eligible projects carried out by the Corps.

22 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) IN GENERAL.—There is authorized to be appro-
 24 priated to carry out this Act \$55,800,000,000 for the pe-
 25 riod of fiscal years 2021 through 2025, of which—

1 (1) 37.5 percent shall be made available to the
2 Secretaries to carry out eligible projects under sec-
3 tion 4(a)(1);

4 (2) 57.5 percent shall be made available to the
5 Secretaries for apportionment to States under sec-
6 tion 5(a); and

7 (3) 5 percent shall be made available to the
8 Secretaries for apportionment to Indian Tribes
9 under section 5(b).

10 (b) MATCHING FUNDS WAIVER.—Any otherwise ap-
11 plicable matching funds requirements, including under
12 section 212(a)(1) of the Public Lands Corps Act of 1993
13 (16 U.S.C. 1729(a)(1)), shall be waived for projects car-
14 ried out using amounts made available under this Act.

○