

Showing Current Law as Amended by H.R. 2167

[text to be added highlighted in yellow; text to be deleted in brackets and highlighted in blue]

The Public Lands Corps Act of 1993 (16 U.S.C. 1721 et seq.; title II of Public Law 91-378)

TITLE II—[PUBLIC LANDS CORPS] PUBLIC LANDS SERVICE CORPS

[SEC. 201. SHORT TITLE

This title may be cited as the “Public Lands Corps Act of 1993”.]

SEC. 201. SHORT TITLE; REFERENCES.

- (a) SHORT TITLE. —This title may be cited as the “Public Lands Service Corps Act of 1993.”
- (b) REFERENCES.—Any reference contained in any law, regulation, document, paper, or other record of the United States to the “Public Lands Corps Act of 1993” shall be considered to be a reference to the “Public Lands Service Corps Act of 1993.”

SEC. 202. CONGRESSIONAL FINDINGS AND PURPOSE. (16 U.S.C. 1721)

(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] [Corps can benefit] conservation 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] 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) Participants in conservation corps receive meaningful education and training, and their experience with conservation corps provides preparation for careers in public service.

(3) Young men and woman who participate in the rehabilitation and restoration of the natural, cultural, historic, archaeological, recreational, and scenic treasures of the United States will gain an increased appreciation and understanding of the public lands and heritage of the United States, and of the value of public service, and are likely to become lifelong advocates for those values.

[(2)] (4) Many facilities and natural cultural, historic, archaeological, recreational, and scenic 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)] (5) 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.

(6) The work of conservation corps can benefit communities adjacent to public lands and facilities through renewed civic engagement and participation by corps participants and those they serve, improved student achievement, and restoration and rehabilitation of public assets.

[(b) PURPOSE.—It is the purpose of this title to—

(1) perform, in a cost-effective manner, [appropriate conservation projects] appropriate natural and cultural resources 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.]

(b) PURPOSES.—The purposes of this Act are as follows:

(1) To introduce young men and women to public service while furthering their understanding and appreciation of the natural, cultural, historic, archaeological, recreational, and scenic resources of the United States.

(2) To facilitate training and recruitment opportunities in which service is credited as qualifying experience for careers in the management of such resources.

(3) To instill in a new generation of young men and women from across the United States, including young men and women from diverse backgrounds, the desire to seek careers in resources stewardship and public service by allowing them to work directly with professional in agencies responsible for the management of the natural, cultural, historic, archaeological, recreational, and scenic resources of the United States.

(4) To perform, in a cost-effective manner, appropriate natural and cultural resources conservation projects where such projects are not being performed by existing employees.

(5) To assist State and local governments and Indian tribes in performing research and public education tasks associated with the conservation of natural, cultural, historic, archaeological, recreational, and scenic resources.

(6) To expand educational opportunities on public lands and by rewarding individuals who participate in conservation corps with an increased ability to pursue higher education and job training.

(7) To promote public understanding and appreciation of the missions and the natural cultural resources conservation work of the participating Federal agencies through training opportunities, community service and outreach, and other appropriate means.

(8) To create a grant program for Indian tribes to establish the Indian Youth Service Corps so that Indian youth can benefit from carrying out projects on Indian lands that the Indian tribes and communities determine to be priorities.

SEC. 203. DEFINITIONS. (16 U.S.C. 1722)

For purposes of this title:

[(1)] *Appropriate conservation project* *Appropriate natural and cultural resources conservation project*

The term "[appropriate conservation project]" appropriate natural and cultural resources 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] Corps*

The terms "Corps" and ["Public Lands Corps]" "Corps" mean the [Public Lands Corps] Corps established under section 1723 of this title.]

(1) APPROPRIATE NATURAL AND CULTURAL RESOURCES CONSERVATION PROJECT.—The term "appropriate natural and cultural resources conservation project" means any project for the conservation, restoration, construction, or rehabilitation of natural, cultural, historic, archaeological, recreational, or scenic resources.

(2) CONSULTING INTERN.—The term "consulting intern" means a consulting intern selected under section 206(a)(2).

(3) CORPS AND PUBLIC LANDS SERVICE CORPS.—The terms "Corps" and "Public Lands Service Corps" mean the Public Lands Service Corps established under section 204(a).

(4) CORPS PARTICIPANT.—The term "Corps participant" means an individual enrolled—
(A) in the Corps or the Indian Youth Service Corps; or
(B) as a resource assistant or consulting intern.

[(3)] (5) *Eligible service lands*

The term "eligible service lands" means public lands, Indian lands, and Hawaiian home lands.

[(4)] (6) *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. 110), 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 86-3; 73 Stat. 5).

[(5)] (7) *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)] (8) *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 groups, regional corporations, and village corporations under the Alaska Native Claims Settlement Act [43 U.S.C. 1601 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)] (9) 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.

(10) INDIAN YOUTH SERVICE CORPS.—The term “Indian Youth Service Corps” means a qualified youth or conservation corps established under section 207 that—

- (A) enrolls individuals between the ages of 15 and 25, inclusive, a majority of whom are Indians; and
- (B) is established pursuant to a tribal resolution that describes the agreement between the Indian tribe and the qualified youth or conservation corps to operate an Indian Youth Service Corps program for the benefit of the members of the Indian tribe.

[(8)] (11) Priority project

The term "priority project" means an [appropriate conservation project] appropriate natural and cultural resources 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)] (12) 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.]

(12) PUBLIC LANDS.—The term “public lands” means any land or water (or interest therein) owned or administered by the United States, including those areas of coastal and ocean waters, the Great Lakes and their connecting waters, and submerged lands over which the United States exercises jurisdiction, except that such term does not include Indian lands.

[(10)] (13) 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] 15 and 25, inclusive, in a natural or cultural resource setting on eligible service lands;

(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 **[.]**; and

(D) makes available for audit for each fiscal year for which the qualified youth or conservation corps receives Federal funds under this Act, all information pertaining to the expenditure of the funds, any matching funds, and participant demographics.

(14) RESIDENTIAL CONSERVATION CENTERS.—The term “residential conservation centers” means the facilities authorized under section 205.

[(11)] (15) Resource assistant pg. 11

The term "resource assistant" means a resource assistant selected under **[section 1725] 206(a)(1)** of this title.

[(12)] (16) 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 **[.]**; and

(C) with respect to the National Marine Sanctuary System, coral reefs, and other coastal, estuarine, and marine habitats, and other lands and facilities administered by the National Oceanic and Atmospheric Administration, the Secretary of Commerce.

[(13)] (17) 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] PUBLIC LANDS SERVICE CORPS PROGRAM. (16 U.S.C. 1723)

[(a) Establishment of [Public Lands Corps] Corps

There is hereby established in the Department of the Interior and the Department of Agriculture a **[Public Lands Corps] Corps.**

(b) Participants

The Corps shall consist of individuals between the ages of 16 and 25, 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 12591(b) of title 42. 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.]

(a) ESTABLISHMENT OF PUBLIC LANDS SERVICE CORPS.—There is established in the Department of the Interior, the Department of Agriculture, and the Department of Commerce a **Public Lands Service Corps.**

(b) ESTABLISHMENT OF CORPS OFFICE; COORDINATORS; LIASON.—

(1) ESTABLISHMENT OF OFFICES.—

(A) DEPARTMENT OF THE INTERIOR.—

The Secretary of the Interior shall establish a department-level office to coordinate the Corps activities within the Department of the Interior.

(B) DEPARTMENT OF AGRICULTURE.—The Secretary of Agriculture shall establish within the Forest Service and office to coordinate the Corps activities within that agency.

(C) DEPARTMENT OF COMMERCE.—The Secretary of Commerce shall establish within the National Oceanic and Atmospheric Administration an office to coordinate the Corps activities within that agency.

(2) ESTABLISHMENT OF COORDINATORS.—The Secretary shall designate a Public Lands Service Corps coordinator for each agency under the jurisdiction of the Secretary that administers Corps activities.

(3) ESTABLISHMENT OF LIAISON.—The Secretary of the Interior shall establish an Indian Youth Service Corps liaison that will—

(A) provide outreach to Indian tribes about opportunities for establishing Corps and Indian Youth Service Corps programs; and

(B) coordinate with the Tribal Liaison of the Corporation for National Service to identify and establish Corps and Indian Youth Service Corps opportunities for Indian youth.

(c) PARTICIPANTS.—

(1) IN GENERAL.—The Secretary may enroll in the corps individuals who are—

(A) hired by an agency under the jurisdiction of the Secretary to perform work authorized this Act; or

(B) members of a qualified youth or conservation corps with which the Secretary has entered into a cooperative agreement to perform work authorized under this Act.

(2) RESOURCE ASSISTANTS AND CONSULTING INTERNS.—The Secretary may also enroll in the Corps resource assistants and consulting interns in accordance with section 206(a).

(3) ELIGIBILITY REQUIREMENTS.—To be eligible for enrollment as a Corps participant, an individual shall—

(A)(i) be between the ages of 15 and 25

(ii) in the case of a military veteran, be not older than 35; and

(B) satisfy the requirements of section 137(a)(5) of the National and Community Service Act of 1990 (42 U.S.C. 12591(a)(5)).

(4) TERMS.—Each Corps participant may be enrolled in the Corps for a term of up to 2 years of service, which may be served over a period that exceeds 2 calendar years.

(5) CIVIL SERVICE.—An individual may be enrolled as a Corps participant without regard to the civil service and classification laws, rules, or regulations of the United States.

(6) PREFERENCE.—The Secretary may establish a preference for the enrollment as Corps participants individuals who are economically, physically, or educationally disadvantaged.

(7) LOCAL PREFERENCE.—The Secretary may establish a preference for enrollment of Corps participants who are individuals who live in that State or region.

[(c)](d) 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] appropriate natural and cultural resources conservation projects referred to in [subsection (d)] subsection (f).

[(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.]

(2) RECRUITMENT.—The Secretary shall carry out, or enter into cooperative agreements to provide, a program to attract eligible youth to the Corps by publicizing Corps opportunities through high schools, colleges, employment centers, electronic media, and other appropriate institutions and means.

(3) PREFERENCE.—IN entering into cooperative agreements under paragraph (1) or awarding competitive grants to Indian tribes or tribally authorized organizations under section 207, the Secretary may give preference to qualified youth or conservation corps that are located in specific areas where a substantial portion of members are economically, physically, or educationally disadvantaged.

(e) TRAINING.—For purposes of training, the Secretary shall take into account training already received by Corps participants enrolled from qualified youth or conservation corps.

[(d)] (f) Projects to be carried out

(1) [In general]USE OF CORPS; PROJECTS.—

[The Secretary may utilize the Corps or any qualified youth or conservation corps to carry out]

(A) IN GENERAL.—The Secretary may use the Corps to carry out, with appropriate supervision and training, [appropriate conservation projects] appropriate natural and cultural resources conservation projects which the Secretary is authorized to carry out under other authority of law [on public lands]on eligible service lands.

(B) PROJECTS.—Appropriate natural and cultural resources conservation projects carried out under this section may include—

(i) protecting, restoring, or enhancing ecosystem components to promote species recovery, improve biological diversity, enhance productivity and carbon sequestration, and enhance adaptability and resilience of eligible service lands and resources to climate change and other natural and human disturbances;

(ii) promoting the health of eligible service lands, including—

(I) protecting and restoring watersheds and forest, grassland, riparian, estuarine, marine, or other habitat;

(II) reducing the risk of uncharacteristically severe wildfire and mitigating damage from insects, disease, and disasters;

(III) controlling erosion;

(IV) controlling and removing invasive, noxious, or nonnative species; and

(V) restoring native species;

(iii) collecting biological, archaeological, and other scientific data, including climatological information, species populations and movement, habitat status, and other information;

(iv) assisting in historical and cultural research, museum curatorial work, oral history projects, documentary photography, and activities that support the creation of public works of art related to eligible service lands;

(v) constructing, repairing, rehabilitating, and maintaining roads, trails, campgrounds and other visitor facilities, employee housing, cultural and historic sites and structures, and other facilities that further the purposes of this Act.

(2) VISITOR SERVICE.—The Secretary may—

(A) enter into or amend an existing cooperative agreement with a cooperating association, education institution, friends group, or similar nonprofit partner organization for the purpose of providing training and work experience to Corps participants in areas such as sales, office work, accounting, and management, provided that the work experience directly relates to the conservation and management of eligible service lands; and

(B) allow Corps participants to help promote visitor safety and enjoyment of eligible service lands, and assist in the gathering of visitor use data.

(3) INTERPRETATION.—The Secretary may permit Corps participants to provide interpretation or education services for the public under the direct and immediate supervision of an agency employee—

(A) to provide orientation and information services to visitors;

(B) to assist agency employees in the delivery of interpretive or educational programs where audience size, environmental conditions, safety, or other factors make such assistance desirable;

(C) to present programs that relate the personal experience of the Corps participants for the purpose of promoting public awareness of the Corps, the role of the Corps in public land management agencies, and the availability of the Corps to potential participants; and

(D) to create nonpersonal interpretive products, such as website content, Junior Ranger program books, printed handouts, and audiovisual programs.

[(2)] (4) Projects on Indian lands

[Appropriate conservation projects] Appropriate natural and cultural resources conservation projects may also be carried out under this subchapter 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)] (5) Disaster prevention or relief projects

The Secretary may authorize [appropriate conservation projects] appropriate natural and cultural resources 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)] (g) Preference for certain projects

In selecting [appropriate conservation projects] appropriate natural and cultural resources conservation projects to be carried out under this subchapter, the Secretary shall give preference to [those projects which] priority projects and other projects that-

- (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;]
- (2) will instill in Corps participants 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)] (h) Consistency

Each [appropriate conservation project] appropriate natural and cultural resources conservation project carried out under this subchapter 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.

(i) OTHER PARTICIPANTS.—The Secretary may allow volunteers from other programs administered or designated by the Secretary to participate as volunteers in projects carried out under this section.

(j) CRIMINAL HISTORY CHECKS.—

(1) IN GENERAL.—The requirements of section 189D(b) of the National and Community Service Act of 1990 (42 U.S.C. 12645g(b)) shall apply to each individual age 18 or older seeking —

- (A) to become a Corps participant;
- (B) to receive funds authorized under this Act; or
- (C) to supervise or otherwise have regular contact with Corps participants in activities authorized under this Act.

(2) ELIGIBILITY PROHIBITION.—If any of paragraphs (1) through (4) of section 189D(c) of the National and Community Service Act of 1990 (42 U.S.C. 12645g(c)) apply to an individual described in paragraph (1), that individual shall not be eligible for the position or activity described in paragraph (1), unless the Secretary provides an exemption for good cause.

Section. 205. [CONSERVATION CENTERS] Residential Conservation Centers AND PROGRAM SUPPORT (16 U.S.C. 1724)

(a) Establishment and use

(1) In general

The Secretary may establish and use [conservation centers] residential conservation centers owned and operated by the Secretary for-

(A) use by the [Public Lands Corps] Corps; and

(B) the conduct of [appropriate conservation projects] appropriate natural and cultural resources conservation projects under this subchapter.

(2) Assistance for [conservation centers] residential conservation centers

The Secretary may provide to a [conservation center] residential conservation center established under paragraph (1) any services, facilities, equipment, and supplies that the Secretary determines to be necessary for the [conservation center] residential conservation center .

(3) Standards for [conservation centers] residential conservation centers

The Secretary shall-

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

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

(4) Management

As the Secretary determines to be appropriate, the Secretary 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] residential conservation center.

(b) Logistical support

[The Secretary] (1) IN GENERAL.—The Secretary may make arrangements with the Secretary of Defense to have logistical support provided by the Armed Forces to the Corps and any [conservation center] residential conservation center established under this section, where feasible. Logistical support may include the provision of temporary tent shelters where needed, transportation, and residential supervision.

(2) TEMPORARY HOUSING.—The Secretary may make arrangements with another Federal agency, State, local government, or private organization to provide temporary housing for Corps participants as needed and available.

(3) TRANSPORTATION.—In project areas where Corps participants reside at their own homes, the Secretary may provide transportation to and from project sites.

(c) Use of military installations

The Secretary 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.

(d) MENTORS.—The Secretary may recruit from programs, such as Federal volunteer and encore service programs, and from veterans groups, military retirees, and active duty personnel, such adults as may be suitable and qualified to provide training, mentoring, and crew-leading services to Corps participants.

[(d)] e Assistance

The Secretary may provide any services, facilities, equipment, supplies, technical assistance, oversight, monitoring, or evaluations [that are appropriate to carry out this subchapter.] that the Secretary determines to be necessary for a residential conservation center.

SEC. 206. RESOURCE ASSISTANTS AND CONSULTING INTERNS. (16 U.S.C. 1725)

[(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. To be eligible for selection as a resource assistant, an individual must be at least 17 years of age. The Secretary may select resource assistants without regard to the civil service and classification laws, rules, or regulations of the United States. The Secretary 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 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.]

(a) AUTHORIZATION.—

(1) RESOURCE ASSISTANTS.—

(A) IN GENERAL.—The Secretary may provide individual placements of resources assistants with any agency under the jurisdiction of the Secretary that carries out appropriate natural and cultural resources conservation projects to carry out research or resource protection activities on behalf of the agency.

(B) ELIGIBILITY.—To be eligible for selection as a resources assistant, an individual shall be at least 17 years of age.

(C) PREFERENCE.—In selecting resource assistants for placement under this paragraph, the Secretary Shall give a preference to 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 ensuring full representation of women and participants from Historically Black Colleges and Universities, Hispanic-serving institutions, and Tribal Colleges and Universities.

(2) CONSULTING INTERNS.—

(A) IN GENERAL.—The Secretary may provide individual placements of consulting interns with any agency under the jurisdiction of the Secretary that carries out appropriate natural

and cultural resources conservation projects to carry out management analysis activities on behalf of the agency.

(B) ELIGIBILITY.—To be eligible for selection as a consulting intern, an individual shall be enrolled in, and have completed at least 1 full year at, a graduate or professional school that has been accredited by an accrediting body recognized by the Secretary of Education.

(b) USE OF EXISTING NONPROFIT ORGANIZATIONS.—

(1) IN GENERAL.—Whenever 1 or more nonprofit organizations can provide appropriate recruitment and placement services to fulfill the requirements of this section, the Secretary may implement this section through such organizations.

(2) EXPENSES.—Participating organizations shall contribute to the expenses of providing and supporting the resource assistants or consulting interns from sources of funding other than the Secretary, at a level of not less than 25 percent of the total costs (15 percent of which may be from in-kind sources) of each participant in the resource assistant or consulting intern program who has been recruited and placed through that organization.

(3) REPORTING.—Each participating organization shall be required to submit an annual report evaluating the scope, size, and quality of the program, including the value of work contributed by the resources assistants and consulting interns, to the mission of the agency.

§1725a. Direct hire authority (As Amended in 2011)

(1) During fiscal year 2012 and thereafter, the Secretary of the Interior may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, other than sections 3303 and 3328 of such title, a qualified candidate described in paragraph (1) ¹ directly to a position with a land managing agency of the Department of the Interior 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 1722 of this title) who-

(A) completed a rigorous undergraduate or graduate summer internship with a land managing agency, 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 section 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.

SEC. 207. INDIAN YOUTH SERVICE CORPS.

(a) AUTHORIZATION OF COOPERATIVE AGREEMENTS AND COMPETITIVE GRANTS.—The Secretary is authorized to enter into cooperative agreements with, or make competitive grants to, Indian tribes and qualified youth or conservation corps for the establishment and administration of Indian Youth Service Corps programs to carry out appropriate natural and cultural resources conservation projects on Indian Lands.

(b) APPLICATION.—To be eligible to receive assistance under this section, an Indian tribe or a qualified youth or conservation corps shall submit to the Secretary an application in such manner and containing such information as the Secretary may require, including—

(1) a description of the methods by which Indian youth will be recruited for and retained in the Indian Youth Service Corps;

(2) a description of the projects to be carried out by the Indian Youth Service Corps;

(3) a description of how the projects were identified; and

(4) an explanation of the impact of, and the direct community benefits provided by, the proposed projects.

SEC. 208. GUIDANCE.

Not later than 18 months after funds are made available to the Secretary to carry out this Act, the Secretary shall issue guidelines for the management of programs under the jurisdiction of the Secretary that are authorized under this Act.

SEC. 207. 209. LIVING ALLOWANCES AND TERMS OF SERVICE. (16 U.S.C. 1726)

(a) Living allowances

The Secretary shall provide each participant in the [Public Lands Corps] 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] Corps credit for time served with the [Public Lands Corps] Corps, which may be used toward future Federal hiring; and

(2) provide to a former member of the [Public Lands Corps] Corps noncompetitive hiring status for a period of not more than 120 days after the date on which the member's service with the [Public Lands Corps] Corps is complete.]

(a) LIVING ALLOWANCES.—

(1) IN GENERAL.—The Secretary shall provide each Corps participant with a living allowance in an amount established by the Secretary.

(2) TRAVEL COSTS.—The Secretary may reimburse Corps participants for travel costs at the beginning and end of the term of service of the Corps participants.

(b) TERMS OF SERVICE.—

(1) IN GENERAL.—Each Corps participant shall agree to participate for such term of service as may be established by the Secretary.

(2) CONSULTATIONS.—With respect to the Indian Youth Service Corps, the term of service shall be established in consultation with the affected Indian tribe or tribally authorized organization.

(c) **HIRING PREFERENCE AND FUTURE EMPLOYMENT.**—The Secretary may—

(1) grant to a Corps participant credit for time served as a Corps participant, which may be used toward future Federal hiring;

(2) provide to a former participant of the Corps or the Indian Youth Service Corps non-competitive hiring status for a period of not more than 2 years after the date on which the service of the candidate in the Corps or the Indian Youth Service Corps was complete, if the candidate—

(A) has served a minimum of 960 hours on an appropriate natural or cultural resources conservation project that included at least 120 hours through the Corps or the Indian Youth Service Corps; and

(B) meets Office of Personnel Management qualification standards for the position for which the candidate is applying;

(3) provide to a former resource assistant or consulting intern noncompetitive hiring status for a period of not more than 2 years after the date on which the individual has completed an undergraduate or graduate degrees, respectively, from an accredited institution, if the candidate—

(A) successfully fulfilled the resource assistant or consulting intern program requirements; and

(B) meets office of Personnel Management qualification standards for the position for which the candidate is applying; and

(4) provide, or enter into contracts or cooperative agreements with qualified employment agencies to provide, alumni services such as job and education counseling, referrals, verification of service, communications, and other appropriate services to Corps participants who have completed the term of service.

SEC. [208] 210. NATIONAL SERVICE EDUCATIONAL AWARDS (16 U.S.C 1727)

(a) Educational benefits and awards

If a [participant in the [Public Lands Corps] Corps or a resource assistant] Corps participant also serves in an approved national service position designated under subtitle C of title I of the National and Community Service Act of 1990 [42 U.S.C. 12571 et seq.], the [participant or resource assistant] Corps participant shall be eligible for a national service educational award in the manner prescribed in subtitle D of such title [42 U.S.C. 12601 et seq.] 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 collection of Stafford loans

For purposes of section 1078 of title 20, in the case of borrowers who are [either participants in the Corps or resource assistants] Corps participants, 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 [or a resource assistant].

SEC. [209] 211. NONDISPLACEMENT (16 U.S.C. 1728)

The nondisplacement requirements of section 12637 of title 42 shall be applicable to all activities carried out by the [Public Lands Corps] Corps, to all [activities carried out under this subchapter by a qualified youth or conservation corps, and to the selection and service of resource assistants.] Corps participants.

SEC. [210] 212. FUNDING. (16 U.S.C. 1729)

(a) Cost sharing

(1) Projects by qualified youth or conservation corps

The Secretary is authorized to pay not more than 75 percent of the costs of any [appropriate conservation project] appropriate natural and cultural resources conservation project carried out pursuant to this subchapter 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] sources other than the Secretary in the form of funds, services, facilities, materials, equipment, or any combination of the foregoing. The Secretary may pay up to 90 percent of the costs of a project if the Secretary determines that the reduction is necessary to enable participation from a greater range of organizations or individuals. No cost sharing shall be required in the case of any [appropriate conservation project] appropriate natural and cultural resources conservation project carried out on Indian lands or Hawaiian home lands under this subchapter.

(2) [Public Lands] Corps projects

The Secretary is authorized to accept donations of funds, services, facilities, materials, or equipment for the purposes of operating the [Public Lands Corps] Corps or Indian Youth Service Corps and carrying out [appropriate conservation projects] appropriate natural and cultural resources conservation projects by the Corps or Indian Youth Service Corps. However, nothing in this subchapter shall be construed to require any cost sharing for any project carried out directly by the Corps or Indian Youth Service Corps.

[(b) Funds available under National and Community Service Act

In order to carry out the [Public Lands Corps] Corps or to support resource assistants and qualified youth or conservation corps under this subchapter, the Secretary shall be eligible to apply for and receive assistance under section 121(b) of the National and Community Service Act of 1990 [42 U.S.C. 12571(b)].

(b) FUNDS AVAILABLE UNDER NATIONAL AND COMMUNITY SERVICE ACT.—To carry out this title, the Secretary shall be eligible to apply for and receive assistance under section 121(b) of the National and Community Service Act (42 U.S.C. 12571(b)).

(c) Other funds

Amounts appropriated pursuant to the authorization of appropriations under [section 1730] section 213 of this title are in addition to amounts allocated to the Public Lands Corps Corps or Indian Youth Service Corps through other Federal programs or projects.

SEC. [211] 213. AUTHORIZATION OF APPROPRIATIONS (16 U.S.C. 1730)

(a) In general

There is authorized to be appropriated to carry out this subchapter \$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.] year.

[(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)] (b) Availability of funds

Notwithstanding any other provision of law, amounts appropriated for any fiscal year to carry out this subchapter shall remain available for obligation and expenditure until the end of the fiscal year following the fiscal year for which the amounts are appropriated.