

Committee on Natural Resources

Rob Bishop Chairman
Mark-Up Memorandum

January 12, 2018

To: All Natural Resources Committee Members

From: Majority Committee Staff – Terry Camp
Subcommittee on Federal Lands (x6-7736)

Mark-Up: **H.R. 2987 (Rep. Martha McSally)**, 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.
January 17, 2018 at 10:00 a.m.; 1324 Longworth House Office Building

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

Summary of the Bill

H.R. 2987, introduced by Representative Martha McSally [R-AZ-02], codifies and expands the 21st Century Conservation Service Corps (21CSC) program. The 21CSC Act 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.

Cosponsors

[9 Cosponsors](#)

Background

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 youth 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 (P.L. 103-82) authorizes the Department of the Interior and the U.S. Forest Service to collaborate with youth conservation corps on 21CSC projects all across the country. These projects, which are undertaken through cooperative agreements, have ranged from trail maintenance to watershed

restoration, historic preservation to forest regeneration, and invasive species removal to front-line services for visitors.

H.R. 2987 expands the number of Federal agencies authorized to enter into cooperative agreements to 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 by another agency. 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 of 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.

The Subcommittee on Federal Lands held a hearing on H.R. 5114, a similar bill introduced in the 114th Congress, on June 23, 2016. A Senate companion has been introduced in the 115th Congress by Senator John McCain as S. 1403.

Major Provisions/Analysis of H.R. 2987

SECTION 1. SHORT TITLE.

SEC. 2. PURPOSES.

SEC. 3. DEFINITIONS.

SEC. 4. 21ST CENTURY CONSERVATION SERVICE CORPS.

- Establishes the “21st Century Conservation Corps” which is made up of 21CSC Organizations, Corpsmembers, and Participating Federal Entities.
- Designates coordinators at participating entities to effectively manage 21CSC activities and identify priority projects.
- Sets out the participating entities (federal departments and agencies) that implement 21CSC and may support 21CSC Organizations.
- Provides that participating entities may utilize developing standards; an application process; leverage private and existing funds; and use technology to improve performance.

- Directs participating entities to coordinate in order to minimize duplication and improve cost-effectiveness; data collection regarding performance metrics; increased veteran participation; and increased Indian engagement.
- Sets out reporting requirements of participating entities and Government Accountability Office reports on effectiveness and areas of improvement.
- Allows participating entities to manage private donations in support of 21CSC.
- Enables participating entities to develop Cooperative Agreements with 21CSC Organizations and authorizes flexible types of agreements that may be used to meet federal partner priorities.

21CSC Organizations

Sets out the requirements for being approved by a participating entity as a 21CSC Organization requirements, such as:

- Corpsmembers must be U.S. citizens, not younger than 15 or older than 30, or veterans not older than 35, and priority should be placed on enrolling Corpsmembers who are veterans, disadvantaged youth, or Native Americans.
- Corpsmember must receive one or more type of compensation which may include an education credit.
- Corpsmembers may be organized into crews or individual placements.
- 21CSC Organizations may carry out certain projects such as conservation of infrastructure and public lands and waters, wildfire prevention, invasive species removal, multi-use trail development, coastal restoration, historic preservation, disaster resiliency, outdoor recreation, as well as internships involving interpretation and education.
- Corpsmembers should develop in-demand skills and obtain certification and credentials that prepare them for the 21st Century workforce.
- Establishes compensation standards and rules, and clarifies that Corpsmembers are participants and not employees, while ensuring that all child labor law protections apply.

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

- Allows participating entities to support logistics including transportation and temporary housing if necessary for 21CSC Organizations.

SEC. 6. RESOURCE ASSISTANTS.

- Enables participating entities to enroll Resource Assistants, allows 21CSC Organization to help with recruiting and placement of such Assistants, and sets out a cost-share requirement for participation.

SEC. 7. ELIGIBILITY FOR NONCOMPETITIVE HIRING STATUS.

- Sets out eligibility for, and length of, non-competitive hiring status for Corpsmembers by requiring a certain number of hours of service project work be performed through a 21CSC Organization with a preference on public lands projects; encourages participating entities to identify priority projects; and requires coordination among participating entities to minimize inconsistency and improve efficiency of tracking hours and utilizing such authority.

SEC. 8. NATIONAL SERVICE EDUCATIONAL AWARDS.

- Ensures continued availability of education and training awards for Corpsmembers after their term of service.

SEC. 9. NONDISPLACEMENT.

- Ensures that non-displacement rules continue to apply to 21CSC Organizations and Corpsmembers.

SEC. 10. FUNDING.

- Requires 21CSC Organizations to leverage funds by soliciting private contributions through innovative strategies.
- Limits the use of funds by participating entities to existing funds.
- Sets out a cost-share requirement for 21CSC Organizations working on 21CSC projects with participating entities.

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

- Authorizes the development of Indian Youth 21st Century Conservation Service Corps with participating entities, and sets out a timeline for issuing guidance for managing such Corps with the Secretary of the Interior and Indian Tribes.

SEC. 12. DIRECT HIRE AUTHORITY.

- Ensures that any participating entity utilizing Resource Assistants through the bill have the ability to utilize Direct Hire Authority for those assistants.

Cost

A Congressional Budget Office cost estimate has not yet been completed for this bill.

Administration Position

The Administration position on H.R. 2987 is unknown at this time.

[Effect on Current Law \(Ramseyer\)](#)