

Union Calendar No. 862

115TH CONGRESS
2D SESSION

H. R. 2987

[Report No. 115–1066, Part I]

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.

IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 2017

Ms. MCSALLY (for herself, Mr. MOULTON, Mr. TIPTON, and Mr. GRIJALVA) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Education and the Workforce, Agriculture, Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

DECEMBER 6, 2018

Reported from the Committee on Natural Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

DECEMBER 6, 2018

Committees on Agriculture and Energy and Commerce discharged

DECEMBER 6, 2018

Referral to the Committees on Education and the Workforce and Transportation and Infrastructure extended for a period ending not later than December 28, 2018

DECEMBER 28, 2018

Additional sponsors: Mr. RYAN of Ohio, Mr. AMODEI, Mr. GIANFORTE, Mr. WELCH, Ms. KUSTER of New Hampshire, Ms. HANABUSA, Mrs. RADEWAGEN, Mr. CURBELO of Florida, Mr. PEARCE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. PETERSON, Ms. ESTY of Connecticut, Mr. KHANNA, and Mr. SEAN PATRICK MALONEY of New York

DECEMBER 28, 2018

Committees on Education and the Workforce and Transportation and Infrastructure discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on June 21, 2017]

A BILL

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.

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 “21st Century Conserva-*
5 *tion Service Corps Act”.*

6 **SEC. 2. PURPOSES.**

7 *Section 202 of the Public Lands Corps Act of 1993*
8 *(16 U.S.C. 1721) is amended to read as follows:*

9 **“SEC. 202. PURPOSES.**

10 *“The purposes of this title are—*

11 *“(1) to engage youth and veterans in the United*
12 *States in civilian national service positions to con-*
13 *serve, rebuild, and enhance the outdoors, natural re-*
14 *sources, infrastructure, and recreation assets of the*
15 *United States;*

16 *“(2) to increase public access to, and use of, pub-*
17 *lic and tribal land and water, infrastructure, and*
18 *natural, cultural, and historical resources and treas-*
19 *ures, while spurring economic development and out-*
20 *door recreation and addressing backlogged mainte-*
21 *nance on public land;*

22 *“(3) to conserve, restore, and enhance public and*
23 *tribal land and water, infrastructure, and natural,*
24 *cultural, and historical resources and treasures by*

1 *carrying out high-quality, cost-effective 21st Century*
2 *Conservation Service Corps projects;*

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

9 “(A) *public;*

10 “(B) *tribal; or*

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

14 “(5) *to place youth and veterans in civilian na-*
15 *tional service positions to protect, restore, and en-*
16 *hance the great outdoors, natural resources, infra-*
17 *structure, and recreation assets of the United States*
18 *in a cost-effective manner without undue duplication*
19 *or overlap of activities or programs carried out by*
20 *Federal agencies;*

21 “(6) *to provide youth and veterans placed in ci-*
22 *vilian national service positions with opportunities to*
23 *gain in-demand skills, credentials, and education to*
24 *prepare for, and transition to, success in the 21st cen-*
25 *tury workforce; and*

1 “(7) to channel widespread interest among youth
 2 and veterans in serving in civilian national service
 3 positions to help conserve, restore, and enhance public
 4 and tribal land and water, infrastructure, and nat-
 5 ural, cultural, and historical resources and treas-
 6 ures—

7 “(A) for the enjoyment and use of future
 8 generations; and

9 “(B) to develop the next generation of out-
 10 door stewards, entrepreneurs, recreationists, and
 11 sportsmen and sportswomen.”.

12 **SEC. 3. DEFINITIONS.**

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

16 **“SEC. 203. DEFINITIONS.**

17 *“In this title:*

18 “(1) *21CSC.*—The term ‘21CSC’ means the 21st
 19 Century Conservation Service Corps established by
 20 section 204(a).

21 “(2) *21CSC ORGANIZATION.*—The term ‘21CSC
 22 organization’ means an organization or association
 23 that meets the requirements described in section
 24 204(d).

1 “(3) *21CSC PROJECT.*—*The term ‘21CSC*
2 *project’ means a project that is carried out by a*
3 *21CSC organization.*

4 “(4) *CORPSMEMBER.*—*The term ‘Corpsmember’*
5 *means an individual who is selected by a 21CSC or-*
6 *ganization to serve on a 21CSC project.*

7 “(5) *INDIAN.*—*The term ‘Indian’ has the mean-*
8 *ing given the term in section 101 of the National and*
9 *Community Service Act of 1990 (42 U.S.C. 12511).*

10 “(6) *INDIAN YOUTH 21ST CENTURY CONSERVA-*
11 *TION SERVICE CORPS.*—*The term ‘Indian Youth 21st*
12 *Century Conservation Service Corps’ means a pro-*
13 *gram of a 21CSC organization that—*

14 “(A) *enrolls participants, the majority of*
15 *whom are Indians; and*

16 “(B) *is established pursuant to an agree-*
17 *ment between a tribal agency and a 21CSC or-*
18 *ganization for the benefit of the members of the*
19 *tribal agency.*

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

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

1 “(B) *EXCLUSION*.—The term ‘institution of
2 higher education’ does not include an institution
3 outside the United States, as described in section
4 102(a)(1)(C) of that Act (20 U.S.C.
5 1002(a)(1)(C)).

6 “(8) *PARTICIPATING ENTITY*.—The term ‘partici-
7 pating entity’ means a Federal entity described in
8 section 204(c)(2).

9 “(9) *PRIORITY PROJECT*.—The term ‘priority
10 project’ means a 21CSC project conducted to further
11 1 or more of the purposes described in section 202 or
12 in section 2 of the Healthy Forests Restoration Act of
13 2003 (16 U.S.C. 6501), including by—

14 “(A) reducing wildfire risk to a community,
15 municipal water supply, or at-risk land;

16 “(B) protecting a watershed;

17 “(C) addressing a threat to forest land or
18 rangeland health, including catastrophic wild-
19 fire;

20 “(D) addressing the impact of insect or dis-
21 ease infestation or any other damaging agent on
22 forest land, water, or rangeland health; or

23 “(E) conserving, restoring, or enhancing a
24 forest ecosystem or an ecosystem on public, pri-
25 vate, or tribal land—

1 “(i) to improve biological diversity; or

2 “(ii) to enhance—

3 “(I) the productivity of fish and
4 wildlife habitat;

5 “(II) the recovery of a species; or

6 “(III) carbon sequestration.

7 “(10) *RESOURCE ASSISTANT*.—The term ‘re-
8 source assistant’ means a resource assistant selected
9 under section 206.

10 “(11) *STATE*.—The term ‘State’ means—

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

13 “(B) the District of Columbia;

14 “(C) the Commonwealth of Puerto Rico;

15 “(D) the United States Virgin Islands;

16 “(E) Guam;

17 “(F) American Samoa; and

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

20 “(12) *TRIBAL AGENCY*.—The term ‘tribal agency’
21 has the meaning given the term ‘Indian tribe’ in sec-
22 tion 101 of the National and Community Service Act
23 of 1990 (42 U.S.C. 12511).

24 “(13) *TRIBAL LAND OR WATER*.—The term ‘trib-
25 al land or water’ means any real property or water—

1 “(A) owned by a tribal agency;

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

4 “(C) held by an Indian or a tribal agency
5 that is subject to a restriction on alienation im-
6 posed by the United States.

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

10 “(15) YOUTH.—The term ‘youth’ means an indi-
11 vidual who is not younger than age 15 and not older
12 than age 30.”.

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

19 **SEC. 4. 21ST CENTURY CONSERVATION SERVICE CORPS.**

20 Section 204 of the Public Lands Corps Act of 1993
21 (16 U.S.C. 1723) is amended to read as follows:

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

23 “(a) ESTABLISHMENT.—There is established the 21st
24 Century Conservation Service Corps, to be comprised of
25 21CSC organizations and Corpsmembers, to carry out, in

1 *partnership with participating entities, the purposes of this*
 2 *title.*

3 “(b) *DESIGNATION OF COORDINATORS.*—*The head of*
 4 *each participating entity, and the head of any bureau or*
 5 *subdivision of each participating entity, shall designate a*
 6 *21CSC coordinator to coordinate any activity of the 21CSC*
 7 *or a 21CSC project carried out by the participating entity*
 8 *or the bureau or subdivision of the participating entity.*

9 “(c) *PARTICIPATING ENTITIES.*—

10 “(1) *IN GENERAL.*—*The 21CSC shall be imple-*
 11 *mented jointly by the heads of the participating enti-*
 12 *ties, who may support the 21CSC by carrying out the*
 13 *activities described in paragraph (3).*

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

16 “(A) *the Department of the Interior;*

17 “(B) *the Department of Agriculture;*

18 “(C) *the Department of Transportation;*

19 “(D) *the Department of Labor;*

20 “(E) *the Department of Energy;*

21 “(F) *the Department of Defense;*

22 “(G) *the Department of Veterans Affairs;*

23 “(H) *the Department of Commerce;*

24 “(I) *the Department of Education;*

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

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

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

7 “(M) the Federal Emergency Management
8 Agency; and

9 “(N) any other Federal agency designated
10 by the President as necessary to carry out a
11 21CSC project.

12 “(3) SUPPORT FOR THE 21CSC.—

13 “(A) IN GENERAL.—The head of a partici-
14 pating entity may provide support to the 21CSC
15 by—

16 “(i) establishing standards for the
17 21CSC;

18 “(ii) establishing a process for an orga-
19 nization to apply and be approved to be-
20 come a 21CSC organization;

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

24 “(iv) using or leveraging existing
25 funds, or acquiring funds and other re-

1 *sources, under section 210 to support*
2 *21CSC projects through entering into a co-*
3 *operative agreement under paragraph*
4 *(5)(A)(i);*

5 *“(v) leveraging existing resources de-*
6 *scribed in section 210(b) to expand the use*
7 *of the 21CSC to meet the mission of the*
8 *participating entity;*

9 *“(vi) using technology to support*
10 *21CSC projects; and*

11 *“(vii) collecting performance data on*
12 *21CSC projects—*

13 *“(I) to prepare the reports re-*
14 *ferred to in subparagraph (C)(i)(I);*
15 *and*

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

18 *“(B) COORDINATION.—*

19 *“(i) IN GENERAL.—The heads of each*
20 *of the participating entities shall, to the*
21 *maximum extent practicable, coordinate*
22 *with each other or the head of any other*
23 *Federal agency that is affected by, or car-*
24 *rying out, an activity that is similar to a*
25 *21CSC project—*

1 “(I) to minimize, to the max-
2 imum extent practicable, the duplica-
3 tion of any specific project performed
4 by any other participating entity or
5 Federal agency; and

6 “(II) to maximize 21CSC project
7 completion in a cost-effective manner
8 by collaborating to leverage existing re-
9 sources described in section 210(b).

10 “(ii) APPROVAL AND DATA COLLEC-
11 TION.—The head of each participating enti-
12 ty shall, to the maximum extent practicable,
13 coordinate with each other head of a par-
14 ticipating entity—

15 “(I) to approve organizations as
16 21CSC organizations; and

17 “(II) to collect the data, when
18 practicable in coordination with a na-
19 tional non-Federal 21CSC organiza-
20 tion coordinating entity, referred to in
21 items (aa) through (dd) of subpara-
22 graph (C)(i)(I).

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

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

3 “(II) the Departments of Veterans
4 Affairs and Labor on methods to in-
5 crease the participation of veterans in
6 21CSC projects;

7 “(III) the Secretary of the Inte-
8 rior, acting through the Assistant Sec-
9 retary for Indian Affairs, on methods
10 to increase the participation of Indians
11 in 21CSC projects;

12 “(IV) the Secretary of Defense on
13 participation for the 21CSC in the
14 Skillbridge program (DoD Instruction
15 1322.29), and on recruiting generally,
16 to encourage more veteran and
17 transitioning service member engage-
18 ment in 21CSC projects;

19 “(V) the Secretary of Labor and
20 the Secretary of Agriculture on meth-
21 ods to increase rural youth engagement
22 in 21CSC projects;

23 “(VI) the Secretary of Labor on
24 methods to increase the creation of ap-
25 prenticeships through 21CSC organiza-

tions, 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;

1 “(bb) the total amount of
2 funding provided by participating
3 entities for the service of Corps-
4 members;

5 “(cc) the type of service per-
6 formed by Corpsmembers and the
7 impact and accomplishments of
8 the service; and

9 “(dd) any other similar data
10 determined by the Chief Executive
11 Officer of the Corporation for Na-
12 tional and Community Service or
13 the head of a participating entity
14 to be appropriate, including data
15 sufficient to determine the effec-
16 tiveness of 21CSC organizations
17 in carrying out activities to
18 achieve the purposes of this title
19 in a manner that—

20 “(AA) is cost-effective;
21 and

22 “(BB) does not unduly
23 duplicate or overlap with
24 any other activity or pro-

1 *gram carried out by any*
 2 *other Federal agency.*

3 “(II) *DATA FROM PARTICIPATING*
 4 *ENTITIES.—Not later than 1 year after*
 5 *the date of enactment of the 21st Cen-*
 6 *tury Conservation Service Corps Act,*
 7 *and annually thereafter, the head of*
 8 *each participating entity shall submit*
 9 *to the Chief Executive Officer of the*
 10 *Corporation for National and Commu-*
 11 *nity Service the data described in*
 12 *items (aa) through (dd) of subclause*
 13 *(I).*

14 “(III) *DATA COLLECTION.—The*
 15 *Chief Executive Officer of the Corpora-*
 16 *tion for National and Community*
 17 *Service may coordinate with indi-*
 18 *vidual 21CSC organizations to im-*
 19 *prove the collection of the required data*
 20 *described in items (aa) through (dd) of*
 21 *subclause (I).*

22 “(ii) *COMPTROLLER GENERAL RE-*
 23 *PORTS.—*

24 “(I) *IN GENERAL.—The Comp-*
 25 *troller General of the United States*

1 *shall prepare and submit to Con-*
2 *gress—*

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

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

11 *“(II) CONTENTS.—The interim*
12 *and final reports referred to in sub-*
13 *clause (I) shall include—*

14 *“(aa) an assessment, based*
15 *on the data described in items*
16 *(aa) through (dd) of clause (i)(I),*
17 *of the effectiveness of 21CSC orga-*
18 *nizations in achieving the pur-*
19 *poses of this title in a manner*
20 *that—*

21 *“(AA) is cost-effective;*

22 *and*

23 *“(BB) does not unduly*
24 *duplicate or overlap with*
25 *any other activity or pro-*

1 *gram carried out by any*
2 *other Federal agency; and*
3 “(bb) *recommendations on*
4 *how to more effectively manage*
5 *and carry out 21CSC projects to*
6 *achieve the purposes of this title*
7 *in the manner described in item*
8 *(aa).*

9 “(III) *ADDITIONAL REPORTS.—*
10 *The Comptroller General of the United*
11 *States may submit to Congress any ad-*
12 *ditional report that includes the con-*
13 *tent described in subclause (II), as the*
14 *Comptroller General determines to be*
15 *necessary.*

16 “(4) *GIFTS AND DONATIONS.—The head of a par-*
17 *ticipating entity may accept, use, or dispose of a con-*
18 *tribution that is a gift or donation of money, services,*
19 *or property to support the development, implementa-*
20 *tion, and expansion of a 21CSC project, in accord-*
21 *ance with applicable law (including regulations).*

22 “(5) *COOPERATIVE AGREEMENTS WITH 21CSC OR-*
23 *GANIZATIONS.—*

24 “(A) *IN GENERAL.—The head of each par-*
25 *ticipating entity may—*

1 “(i) develop a public-private partner-
 2 ship with a 21CSC organization by enter-
 3 ing into a cooperative agreement with the
 4 21CSC organization to support and carry
 5 out 21CSC projects; and

6 “(ii) leverage existing resources de-
 7 scribed in section 210(b) to support a coop-
 8 erative agreement.

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

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

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

17 “(iii) be an agreement for a 21CSC
 18 project to be part of a broader 21CSC ini-
 19 tiative carried out in partnership with—

20 “(I) the Federal Government;

21 “(II) a State government; or

22 “(III) a tribal agency.

23 “(C) SET SHARE.—A cooperative agreement
 24 under this paragraph shall include a provision

1 *specifying the cost share that the 21CSC organi-*
2 *zation will provide under section 210(c).*

3 “(d) 21CSC ORGANIZATIONS.—

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

10 “(2) 21CSC CORPSMEMBERS ENGAGED BY 21CSC
11 ORGANIZATIONS.—

12 “(A) IN GENERAL.—In addition to meeting
13 *the requirement of subparagraph (B), any indi-*
14 *vidual selected by a 21CSC organization to carry*
15 *out a 21CSC project shall, to the maximum ex-*
16 *tent practicable, be—*

17 “(i) a youth, notwithstanding para-
18 *graphs (3) and (4) of section 137(a) of the*
19 *National and Community Service Act of*
20 *1990 (42 U.S.C. 12591(a)) in the case of*
21 *any Corpsmember participating in a*
22 *21CSC project supported and carried out by*
23 *the Corporation for National and Commu-*
24 *nity Service; or*

25 “(ii) a veteran not older than age 35.

1 “(B) *CITIZENSHIP REQUIREMENT.*—Any in-
2

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

5 “(ii) a lawful permanent resident of
6 the United States; or

7 “(iii) a citizen of the Republic of the
8 Marshall Islands, the Federated States of
9 Micronesia, or the Republic of Palau and
10 admitted to the United States as a non-
11 immigrant under the terms of the applica-
12 ble Compact of Free Association with the
13 United States.

14 “(C) *EMPHASIS ON DIVERSITY AND INCLU-*
15 *SION.*—In selecting a Corpsmember, a 21CSC or-
16 ganization shall make deliberate outreach efforts
17 to engage an individual who—

18 “(i) lives in the State or region of the
19 21CSC organization; and

20 “(ii) represents a traditionally under-
21 served population, including veterans, Indi-
22 ans, and disadvantaged youth (as defined
23 in section 101 of the National and Commu-
24 nity Service Act of 1990 (42 U.S.C.
25 12511)).

1 “(3) *COMPENSATION FOR PARTICIPANTS.—A*
 2 *21CSC organization shall provide compensation to*
 3 *each Corpsmember that includes 1 or more of the fol-*
 4 *lowing:*

5 “(A) *A wage.*

6 “(B) *A stipend.*

7 “(C) *A living allowance.*

8 “(D) *An educational credit that may be ap-*
 9 *plied towards a program of postsecondary edu-*
 10 *cation at an institution of higher education that*
 11 *agrees to award the credit for participation in a*
 12 *21CSC project.*

13 “(4) *ORGANIZATION OF SERVICE FOR PARTICI-*
 14 *PANTS.—*

15 “(A) *IN GENERAL.—In carrying out a*
 16 *21CSC project, a 21CSC organization shall, to*
 17 *the maximum extent practicable, organize each*
 18 *Corpsmember as—*

19 “(i) *a crew-based participant who—*

20 “(I) *serves together with other*
 21 *crew-based participants; and*

22 “(II) *is directly supervised by a*
 23 *trained and experienced crew-based*
 24 *leader or conservation professional; or*

1 “(ii) *an individual or small team-*
2 *based participant who serves—*

3 “(I) *individually or in a coordi-*
4 *nated small team, as applicable;*

5 “(II) *under the direction of a con-*
6 *servation professional; and*

7 “(III) *on an initiative that re-*
8 *quires specific skills and dedicated at-*
9 *tention.*

10 “(B) *VETERAN AND CIVILIAN COOPERA-*
11 *TION.—A 21CSC organization shall, to the max-*
12 *imum extent practicable, encourage cooperation*
13 *among veteran and civilian Corpsmembers.*

14 “(5) *21CSC PROJECTS.—A 21CSC organization*
15 *shall carry out a 21CSC project that includes na-*
16 *tional service, and may be a priority project, involv-*
17 *ing—*

18 “(A) *the conservation, restoration, and en-*
19 *hancement of—*

20 “(i) *a unit of the National Park Sys-*
21 *tem or National Forest System;*

22 “(ii) *public or tribal land or water; or*

23 “(iii) *natural, cultural, or historical*
24 *resources or treasures;*

1 “(B) the conservation, restoration, manage-
2 ment, and development of the natural resources
3 and infrastructure of the United States, includ-
4 ing—

5 “(i) removal of invasive species;

6 “(ii) wildfire prevention and response;

7 “(iii) disaster resiliency, mitigation,
8 response, and recovery;

9 “(iv) trail development and mainte-
10 nance;

11 “(v) coastal restoration and resiliency;

12 “(vi) historic preservation;

13 “(vii) public safety;

14 “(viii) energy efficiency and alter-
15 native energy;

16 “(ix) water infrastructure;

17 “(x) construction, repair, rehabilita-
18 tion, or maintenance of—

19 “(I) a road;

20 “(II) a campground; or

21 “(III) any other recreation or vis-
22 itor facility or housing structure; and

23 “(xi) any other related project that fur-
24 thers the purposes of this title;

1 “(C) the support, development, and en-
2 hancement of outdoor recreation or urban green
3 space for the purpose of public access;

4 “(D) service that is primarily indoors, such
5 as service in a science, policy, or program in-
6 ternship, with a clear benefit for natural, cul-
7 tural, or historic resources or treasures, which
8 may include the provision of interpretation and
9 education services to—

10 “(i) the public; or

11 “(ii) a cooperating association, edu-
12 cational institution, friends group, or simi-
13 lar nonprofit partner organization; and

14 “(E) notwithstanding section 132A of the
15 National and Community Service Act of 1990
16 (42 U.S.C. 12584a), a project described in this
17 paragraph on private land or water in partner-
18 ship with a private entity if—

19 “(i) the project has a direct or recog-
20 nized public or environmental benefit; or

21 “(ii) the funding for the project origi-
22 nated from a governmental entity, regard-
23 less of the end payor.

1 “(6) *21CSC CORPSMEMBERS.*—*In carrying out a*
 2 *21CSC project, a 21CSC organization shall provide*
 3 *each Corpsmember with—*

4 “(A) *in-demand skills development, certifi-*
 5 *cation and credentials, and education to prepare*
 6 *the Corpsmember for success in transitioning to*
 7 *the 21st century workforce;*

8 “(B) *community skill development to help*
 9 *the Corpsmember—*

10 “(i) *acquire an ethic of service to oth-*
 11 *ers and the United States; and*

12 “(ii) *become a more effective natural*
 13 *resource and community steward; and*

14 “(C) *a greater understanding of the nat-*
 15 *ural, cultural, or historic resources or treasures*
 16 *of the United States.*

17 “(e) *CORPSMEMBER COMPENSATION AND EMPLOY-*
 18 *MENT STANDARDS.—*

19 “(1) *CORPSMEMBER COMPENSATION STAND-*
 20 *ARD.—*

21 “(A) *SPECIFIC WAGE RATES.*—*A form of*
 22 *compensation provided under subparagraph (A),*
 23 *(B), or (C) of subsection (d)(3) shall be consid-*
 24 *ered to be established at a specific wage rate, in*
 25 *the same manner as the compensation provided*

1 *for a living allowance under section 140 of the*
2 *National and Community Service Act of 1990*
3 *(42 U.S.C. 12594).*

4 “(B) *COMPENSATION FOR CERTAIN CORPS-*
5 *MEMBERS.—The compensation provided under*
6 *subsection (d)(3) to a Corpsmember who is not*
7 *a participant in a 21CSC project supported by*
8 *the Corporation for National and Community*
9 *Service shall not be subject to any provision of*
10 *(including a regulation under) the National and*
11 *Community Service Act of 1990 (42 U.S.C.*
12 *12501 et seq.) relating to a wage rate, but shall*
13 *be considered to be established at a specific wage*
14 *rate, in the manner described in subparagraph*
15 *(A).*

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

23 “(2) *CORPSMEMBER EMPLOYMENT STANDARD.—*

24 “(A) *IN GENERAL.—Except as provided in*
25 *subparagraphs (B) and (C), in parity with sec-*

tion 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 em-

1 *ployee and an employer under such Act;*
 2 *and*

3 *“(ii) a violation of a section specified*
 4 *in clause (i) by a 21CSC organization shall*
 5 *be enforced by the Secretary of Labor in the*
 6 *same manner, and subject to the same pen-*
 7 *alties under the Fair Labor Standards Act*
 8 *of 1938 (29 U.S.C. 201 et seq.), as a viola-*
 9 *tion by an employer of section 12 of such*
 10 *Act (29 U.S.C. 212).*

11 *“(3) CIVIL SERVICE.—An individual may be en-*
 12 *rolled as a Corpsmember without regard to the civil*
 13 *service and classification laws, rules, or regulations.”.*

14 **SEC. 5. 21ST CENTURY CONSERVATION SERVICE CORPS**
 15 **CONSERVATION CENTERS AND PROGRAM**
 16 **SUPPORT.**

17 *Section 205 of the Public Lands Corps Act of 1993*
 18 *(16 U.S.C. 1724) is amended—*

19 *(1) in subsection (a)—*

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

23 *(B) in paragraph (1)—*

1 (i) in subparagraph (A), by striking
2 “Public Lands Corps” and inserting
3 “21CSC”; and

4 (ii) in subparagraph (B), by striking
5 “conservation projects” and inserting
6 “21CSC projects”;

7 (2) in subsection (b)—

8 (A) in the heading, by inserting “, TEM-
9 PORARY HOUSING, AND TRANSPORTATION” after
10 “LOGISTICAL SUPPORT”;

11 (B) in the first sentence—

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

14 “(1) LOGISTICAL SUPPORT.—

15 “(A) IN GENERAL.—The head of a partici-
16 pating entity”; and

17 (ii) by striking “the Corps” and insert-
18 ing “the 21CSC”;

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

21 “(B) INCLUSIONS.—Logistical support pro-
22 vided under subparagraph (A)”;

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

24 “(2) TEMPORARY HOUSING.—The head of a par-
25 ticipating entity may make arrangements with an-

1 *other Federal agency or a State, local government, or*
 2 *private organization to provide temporary housing*
 3 *for Corpsmembers as needed and available.*

4 *“(3) TRANSPORTATION.—The head of a partici-*
 5 *pating entity may provide transportation to and*
 6 *from 21CSC project sites for Corpsmembers that re-*
 7 *side in their own homes.”;*

8 *(3) in subsection (c)—*

9 *(A) by striking “The Secretary” and insert-*
 10 *ing “The head of a participating entity”; and*

11 *(B) by striking “the Corps for training or*
 12 *housing Corps participants” and inserting “the*
 13 *21CSC for training or housing Corpsmembers”;*
 14 *and*

15 *(4) in subsection (d), by striking “The Sec-*
 16 *retary” and inserting “The head of a participating*
 17 *entity”.*

18 **SEC. 6. RESOURCE ASSISTANTS.**

19 *Section 206 of the Public Lands Corps Act of 1993*
 20 *(16 U.S.C. 1725) is amended—*

21 *(1) in subsection (a)—*

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

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

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

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

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

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

8 (D) by striking the first sentence and insert-
9 ing the following:

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

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

16 “(b) *PREFERENCE FOR THE USE OF 21CSC ORGANI-*
17 *ZATIONS.*—

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

24 “(2) *CONTRIBUTION TO EXPENSES.*—A 21CSC
25 organization providing recruitment and placement

1 *services under paragraph (1) shall contribute to the*
 2 *expenses of providing and supporting resource assist-*
 3 *ants, through 1 or more private sources of funding, at*
 4 *a level equal to 25 percent of the total costs of each*
 5 *participant in the resource assistant program that*
 6 *has been recruited and placed through the 21CSC or-*
 7 *ganization.*

8 *“(3) ANNUAL REPORT.—A 21CSC organization*
 9 *providing recruitment and placement services under*
 10 *paragraph (1) shall submit to the head of the applica-*
 11 *ble participating entity an annual report that evalu-*
 12 *ates the scope, size, and quality of the resource assist-*
 13 *ant program carried out by the 21CSC organization,*
 14 *including a description of the value of the work con-*
 15 *tributed by resource assistants to the mission of the*
 16 *participating entity.”.*

17 **SEC. 7. ELIGIBILITY FOR NONCOMPETITIVE HIRING STA-**
 18 **TUS.**

19 *Section 207 of the Public Lands Corps Act of 1993*
 20 *(16 U.S.C. 1726) is amended to read as follows:*

21 **“SEC. 207. ELIGIBILITY FOR NONCOMPETITIVE HIRING STA-**
 22 **TUS.**

23 *“(a) DEFINITIONS.—In this section—*

24 *“(1) the terms ‘land management agency’ and*
 25 *‘time-limited appointment’ have the meanings given*

1 *those terms in section 9601 of title 5, United States*
 2 *Code; and*

3 *“(2) the term ‘qualified Corpsmember’ means a*
 4 *Corpsmember who is certified by a corresponding par-*
 5 *ticipating entity as having successfully completed 640*
 6 *hours of service with a 21CSC organization.*

7 *“(b) HIRING.—*

8 *“(1) IN GENERAL.—Subject to paragraph (2)*
 9 *and subsection (c), a qualified Corpsmember shall be*
 10 *eligible for appointment in the competitive service in*
 11 *the same manner as a Peace Corps volunteer as pre-*
 12 *scribed in Executive Order 11103 (22 U.S.C. 2504*
 13 *note; relating to Providing for the Appointment of*
 14 *Former Peace Corps Volunteers to the Civilian Career*
 15 *Services), as amended by Executive Order 12107 (44*
 16 *Fed. Reg. 1055; relating to the Civil Service Commis-*
 17 *sion and Labor-Management in the Federal Service).*

18 *“(2) PERIOD.—A qualified Corpsmember shall be*
 19 *eligible for an appointment under paragraph (1) dur-*
 20 *ing the 2-year period beginning on the date on which*
 21 *the Corpsmember completes the 640 hours of service*
 22 *required under subsection (a)(2).*

23 *“(3) TIME-LIMITED APPOINTMENT.—For pur-*
 24 *poses of section 9602 of title 5, United States Code,*
 25 *a qualified Corpsmember hired by a participating en-*

1 *tity that is a land management agency for a time-*
 2 *limited appointment shall be considered to be ap-*
 3 *pointed initially under open, competitive examina-*
 4 *tion.*

5 “(c) *SERVICE HOURS.*—

6 “(1) *IN GENERAL.*—*The 640 hours of service re-*
 7 *quired under subsection (a)(2) may include service on*
 8 *1 or more projects carried out by a Corpsmember*
 9 *with 1 or more participating entities during 1 or*
 10 *more terms of service in a 21CSC organization.*

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

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

17 “(B) *in service with, or on a project sup-*
 18 *ported in whole or in part by, a participating*
 19 *entity.*

20 “(3) *PRIORITIES.*—*The head of each partici-*
 21 *pating entity is encouraged, to the maximum extent*
 22 *practicable, to identify a sufficient number of 21CSC*
 23 *projects on public or tribal land or water that are*
 24 *aligned with the priorities of the participating entity*
 25 *so as to facilitate the attainment of the 640 hours of*

1 *service by Corpsmembers required under subsection*
 2 *(a)(2).*

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

8 “(d) *GUIDANCE.*—*The head of each participating enti-*
 9 *ty, and any subdivision of a participating entity, shall co-*
 10 *ordinate with the head of each other participating entity,*
 11 *and subdivision of each other participating entity, to imple-*
 12 *ment and issue guidance on eligibility for noncompetitive*
 13 *hiring status under subsection (b) in a uniform manner*
 14 *to—*

15 “(1) *improve the efficiency and use of non-*
 16 *competitive hiring authority; and*

17 “(2) *minimize inconsistency.*”.

18 **SEC. 8. NATIONAL SERVICE EDUCATIONAL AWARDS.**

19 *Section 208 of the Public Lands Corps Act of 1993*
 20 *(16 U.S.C. 1727) is amended—*

21 *(1) in subsection (a), in the first sentence—*

22 *(A) by striking “participant in the Public*
 23 *Lands Corps” and inserting “Corpsmember”;*
 24 *and*

1 (B) by striking “the participant” and in-
 2 serting “the Corpsmember”; and

3 (2) in subsection (b)—

4 (A) by striking “either participants in the
 5 Corps” and inserting “Corpsmembers”; and

6 (B) by striking “such a participant” and
 7 inserting “a Corpsmember”.

8 **SEC. 9. NONDISPLACEMENT.**

9 Section 209 of the Public Lands Corps Act of 1993
 10 (16 U.S.C. 1728) is amended—

11 (1) by striking “Public Lands Corps” and in-
 12 serting “21CSC”; and

13 (2) by striking “qualified youth or conservation
 14 corps” and inserting “Corpsmember or a 21CSC or-
 15 ganization”.

16 **SEC. 10. FUNDING.**

17 Section 210 of the Public Lands Corps Act of 1993
 18 (16 U.S.C. 1729) is amended—

19 (1) by redesignating subsections (a) through (c)
 20 as subsections (d) through (f), respectively;

21 (2) by inserting before subsection (d) (as so re-
 22 designated) the following:

23 “(a) INVESTMENTS.—

24 “(1) IN GENERAL.—In addition to using the
 25 funds described in subsections (b) and (c) to fund

1 *21CSC projects, each 21CSC organization shall lever-*
 2 *age those funds by soliciting cash or in-kind contribu-*
 3 *tions from public or private sources.*

4 *“(2) METHODS.—A 21CSC organization may le-*
 5 *verage funds by soliciting contributions using innova-*
 6 *tive strategies, such as crowd-funding.*

7 *“(b) EXISTING RESOURCES.—To fund a 21CSC*
 8 *project, the head of each participating entity shall be lim-*
 9 *ited to using existing funds appropriated or allocated to*
 10 *the participating entity, as of the period of implementation*
 11 *of the 21CSC project, under any law or authority other*
 12 *than this title.*

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

18 *(3) in subsection (d) (as so redesignated)—*

19 *(A) in paragraph (1)—*

20 *(i) in the paragraph heading, by strik-*
 21 *ing “QUALIFIED YOUTH OR CONSERVATION*
 22 *CORPS” and inserting “CORPSMEMBERS OR*
 23 *21CSC ORGANIZATIONS”;* *and*

24 *(ii) by striking the first and second*
 25 *sentences; and*

1 (B) in paragraph (2)—

2 (i) in the paragraph heading, by strik-
3 ing “PUBLIC LANDS CORPS” and inserting
4 “21CSC”;

5 (ii) in the first sentence—

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

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

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

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

15 (4) in subsection (e) (as so redesignated), by
16 striking “In order” and all that follows through “the
17 Secretary” and inserting “To carry out the 21CSC or
18 to support resource assistants and Corpsmembers or
19 21CSC organizations under this title, the head of a
20 participating entity”; and

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

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

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

1 **SEC. 11. INDIAN YOUTH 21ST CENTURY CONSERVATION**

2 **SERVICE CORPS; RULE OF CONSTRUCTION.**

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

5 *(1) by redesignating section 211 as section 213;*

6 *and*

7 *(2) by inserting after section 210 the following:*

8 **“SEC. 211. INDIAN YOUTH 21ST CENTURY CONSERVATION**

9 **SERVICE CORPS.**

10 *“(a) AUTHORIZATION OF COOPERATIVE AGREE-*
11 *MENTS.—The head of a participating entity may offer to*
12 *enter into a cooperative agreement with a tribal agency or*
13 *a 21CSC organization to establish and administer the In-*
14 *dian Youth 21st Century Conservation Service Corps, which*
15 *shall carry out 1 or more 21CSC projects on tribal land*
16 *or water.*

17 *“(b) GUIDELINES.—Not later than 18 months after the*
18 *date of enactment of the 21st Century Conservation Service*
19 *Corps Act, the Secretary of the Interior, in consultation*
20 *with Indian tribes, shall issue guidelines for the manage-*
21 *ment of the Indian Youth 21st Century Conservation Serv-*
22 *ice Corps, in accordance with this Act and any other appli-*
23 *cable Federal laws.*

24 **“SEC. 212. RULE OF CONSTRUCTION.**

25 *“Except where otherwise provided for in this title, the*
26 *requirements and authorities provided under this title with*

1 *respect to Corpsmembers, 21CSC organizations, and par-*
 2 *ticipating entities with respect to a 21CSC project shall be*
 3 *in addition to any requirement or authority provided under*
 4 *other Federal law with respect to Corpsmembers, 21CSC or-*
 5 *ganizations, and participating entities with respect to the*
 6 *21CSC project.”.*

7 **SEC. 12. DIRECT HIRE AUTHORITY.**

8 *Section 121(a) of the Department of the Interior, En-*
 9 *vironment, and Related Agencies Appropriations Act, 2012*
 10 *(16 U.S.C. 1725a(a)), is amended—*

11 *(1) in paragraph (1)—*

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

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

22 *(2) in paragraph (2)(A), by striking “land man-*
 23 *aging agency” and inserting “participating entity”.*

1 **SEC. 13. NATIONAL AND COMMUNITY SERVICE PROGRAMS.**

2 (a) *NONPROFIT CAPACITY BUILDING.*—Section
3 198S(a)(4) of the National and Community Service Act of
4 1990 (42 U.S.C. 12653s(a)(4)) is amended by striking “and
5 the District of Columbia” and inserting “the District of Co-
6 lumbia, American Samoa, Guam, the Northern Mariana Is-
7 lands, Puerto Rico, and the Virgin Islands of the United
8 States”.

9 (b) *COMPACT MIGRANT ELIGIBILITY.*—Section
10 137(a)(5) of the National and Community Service Act of
11 1990 (42 U.S.C. 12591(a)(5)) is amended to read as follows:

12 “(5) is a citizen or national of the United States
13 or lawful permanent resident alien of the United
14 States, or is a citizen of the Republic of the Marshall
15 Islands, the Federated States of Micronesia, or the Re-
16 public of Palau and admitted to the United States as
17 a nonimmigrant under the terms of the applicable
18 Compact of Free Association with the United States.”.

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

1 **SEC. 14. YOUTH CONSERVATION CORPS.**

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

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

6 *(A) striking “trust territories, or” and in-*
7 *serting “or the”; and*

8 *(B) inserting “(or who are citizens of the*
9 *Republic of the Marshall Islands, the Federated*
10 *States of Micronesia, or the Republic of Palau*
11 *and admitted to the United States as non-*
12 *immigrants under the terms of the applicable*
13 *Compact of Free Association with the United*
14 *States),” after “Puerto Rico”; and*

15 *(2) in section 104 (16 U.S.C. 1704)—*

16 *(A) in subsection (a), by striking “the Trust*
17 *Territory of the Pacific Islands, and American*
18 *Samoa” and inserting “American Samoa, and*
19 *the Commonwealth of the Northern Mariana Is-*
20 *lands”; and*

21 *(B) in subsection (b)(1)(A), by striking “,*
22 *possessions, or the Trust Territory of the Pacific*
23 *Islands” and inserting “or possessions (or the*
24 *citizens of the Republic of the Marshall Islands,*
25 *the Federated States of Micronesia, or the Re-*
26 *public of Palau and admitted to the United*

1 *States as nonimmigrants under the terms of the*
2 *applicable Compact of Free Association with the*
3 *United States)’’.*

Union Calendar No. 862

115TH CONGRESS
2D Session

H. R. 2987

[Report No. 115–1066, Part I]

A BILL

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.

DECEMBER 28, 2018

Committees on Education and the Workforce and Transportation and Infrastructure discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed