

109TH CONGRESS
1ST SESSION

S. 1238

To amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 14, 2005

Mrs. FEINSTEIN (for herself, Mr. BINGAMAN, and Mr. DOMENICI) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, 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 “Public Lands Corps
5 Healthy Forests Restoration Act of 2005”.

6 **SEC. 2. AMENDMENTS TO THE PUBLIC LANDS CORPS ACT**
7 **OF 1993.**

8 (a) DEFINITIONS.—Section 203 of the Public Lands
9 Corps Act of 1993 (16 U.S.C. 1722) is amended—

1 (1) by redesignating paragraphs (8), (9), (10),
2 and (11) as paragraphs (9), (10), (11), and (13), re-
3 spectively;

4 (2) by inserting after paragraph (7) the fol-
5 lowing:

6 “(8) PRIORITY PROJECT.—The term ‘priority
7 project’ means an appropriate conservation project
8 conducted on eligible service lands to further 1 or
9 more of the purposes of the Healthy Forests Res-
10 toration Act of 2003 (16 U.S.C. 6501 et seq.), as
11 follows:

12 “(A) To reduce wildfire risk to a commu-
13 nity, municipal water supply, or other at-risk
14 Federal land.

15 “(B) To protect a watershed or address a
16 threat to forest and rangeland health, including
17 catastrophic wildfire.

18 “(C) To address the impact of insect or
19 disease infestations or other damaging agents
20 on forest and rangeland health.

21 “(D) To protect, restore, or enhance forest
22 ecosystem components to—

23 “(i) promote the recovery of threat-
24 ened or endangered species;

25 “(ii) improve biological diversity; or

1 “(iii) enhance productivity and carbon
2 sequestration.”; and

3 (3) by inserting after paragraph (11) (as reded-
4 igned by paragraph (1)) the following:

5 “(12) SECRETARY.—The term ‘Secretary’
6 means—

7 “(A) with respect to National Forest Sys-
8 tem land, the Secretary of Agriculture; and

9 “(B) with respect to Indian lands, Hawai-
10 ian home lands, or land administered by the
11 Department of the Interior, the Secretary of the
12 Interior.”.

13 (b) QUALIFIED YOUTH OR CONSERVATION CORPS.—
14 Section 204(c) of the Public Lands Corps Act of 1993 (16
15 U.S.C. 1723(c)) is amended—

16 (1) by striking “The Secretary of the Interior
17 and the Secretary of Agriculture are” and inserting
18 the following:

19 “(1) IN GENERAL.—The Secretary is”; and

20 (2) by adding at the end the following:

21 “(2) PREFERENCE.—

22 “(A) IN GENERAL.—For purposes of enter-
23 ing into contracts and cooperative agreements
24 under paragraph (1), the Secretary may give
25 preference to qualified youth or conservation

1 corps located in a specific area that have a sub-
2 stantial portion of members who are economi-
3 cally, physically, or educationally disadvantaged
4 to carry out projects within the area.

5 “(B) PRIORITY PROJECTS.—In carrying
6 out priority projects in a specific area, the Sec-
7 retary shall, to the maximum extent practicable,
8 give preference to qualified youth or conserva-
9 tion corps located in that specific area that
10 have a substantial portion of members who are
11 economically, physically, or educationally dis-
12 advantaged.”.

13 (c) CONSERVATION PROJECTS.—Section 204(d) of
14 the Public Lands Corps Act of 1993 (16 U.S.C. 1723(d))
15 is amended—

16 (1) in the first sentence—

17 (A) by striking “The Secretary of the Inte-
18 rior and the Secretary of Agriculture may each”
19 and inserting the following:

20 “(1) IN GENERAL.—The Secretary may”; and

21 (B) by striking “such Secretary” and in-
22 serting “the Secretary”;

23 (2) in the second sentence, by striking “Appro-
24 priate conservation” and inserting the following:

1 “(2) PROJECTS ON INDIAN LANDS.—Appro-
2 priate conservation”; and

3 (3) by striking the third sentence and inserting
4 the following:

5 “(3) DISASTER PREVENTION OR RELIEF
6 PROJECTS.—The Secretary may authorize appro-
7 priate conservation projects and other appropriate
8 projects to be carried out on Federal, State, local, or
9 private land as part of a Federal disaster prevention
10 or relief effort.”.

11 (d) CONSERVATION CENTERS AND PROGRAM SUP-
12 PORT.—Section 205 of the Public Lands Corps Act of
13 1993 (16 U.S.C. 1724) is amended—

14 (1) by striking the heading and inserting the
15 following:

16 **“SEC. 205. CONSERVATION CENTERS AND PROGRAM SUP-
17 PORT.”;**

18 (2) by striking subsection (a) and inserting the
19 following:

20 **“(a) ESTABLISHMENT AND USE.—**

21 **“(1) IN GENERAL.—**The Secretary may estab-
22 lish and use conservation centers owned and oper-
23 ated by the Secretary for—

24 **“(A) use by the Public Lands Corps; and**

1 “(B) the conduct of appropriate conserva-
2 tion projects under this title.

3 “(2) ASSISTANCE FOR CONSERVATION CEN-
4 TERS.—The Secretary may provide to a conservation
5 center established under paragraph (1) any services,
6 facilities, equipment, and supplies that the Secretary
7 determines to be necessary for the conservation cen-
8 ter.

9 “(3) STANDARDS FOR CONSERVATION CEN-
10 TERS.—The Secretary shall—

11 “(A) establish basic standards of health,
12 nutrition, sanitation, and safety for all con-
13 servation centers established under paragraph
14 (1); and

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

17 “(4) MANAGEMENT.—As the Secretary deter-
18 mines to be appropriate, the Secretary may enter
19 into a contract or other appropriate arrangement
20 with a State or local government agency or private
21 organization to provide for the management of a
22 conservation center.”; and

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

24 “(d) ASSISTANCE.—The Secretary may provide any
25 services, facilities, equipment, supplies, technical assist-

1 ance, oversight, monitoring, or evaluations that are appro-
2 priate to carry out this title.”.

3 (e) LIVING ALLOWANCES AND TERMS OF SERVICE.—

4 Section 207 of the Public Lands Corps Act of 1993 (16
5 U.S.C. 1726) is amended—

6 (1) by striking subsection (a) and inserting the
7 following:

8 “(a) LIVING ALLOWANCES.—The Secretary shall pro-
9 vide each participant in the Public Lands Corps and each
10 resource assistant with a living allowance in an amount
11 established by the Secretary.”; and

12 (2) by adding at the end the following:

13 “(c) HIRING.—The Secretary may—

14 “(1) grant to a member of the Public Lands
15 Corps credit for time served with the Public Lands
16 Corps, which may be used toward future Federal
17 hiring; and

18 “(2) provide to a former member of the Public
19 Lands Corps noncompetitive hiring status for a pe-
20 riod of not more than 120 days after the date on
21 which the member’s service with the Public Lands
22 Corps is complete.”.

23 (f) FUNDING.—The Public Lands Corps Act of 1993
24 is amended—

1 (1) in section 210 (16 U.S.C. 1729), by adding
2 at the end the following:

3 “(c) OTHER FUNDS.—Amounts appropriated pursu-
4 ant to the authorization of appropriations under section
5 211 are in addition to amounts allocated to the Public
6 Lands Corps through other Federal programs or
7 projects.”; and

8 (2) by inserting after section 210 the following:

9 **“SEC. 211. AUTHORIZATION OF APPROPRIATIONS.**

10 “(a) IN GENERAL.—There is authorized to be appro-
11 priated to carry out this title \$15,000,000 for each fiscal
12 year, of which \$10,000,000 is authorized to carry out pri-
13 ority projects.

14 “(b) AVAILABILITY OF FUNDS.—Notwithstanding
15 any other provision of law, amounts appropriated for any
16 fiscal year to carry out this title shall remain available
17 for obligation and expenditure until the end of the fiscal
18 year following the fiscal year for which the amounts are
19 appropriated.”.

20 (g) CONFORMING AMENDMENTS.—The Public Lands
21 Corps Act of 1993 is amended—

22 (1) in section 204 (16 U.S.C. 1723)—

23 (A) in subsection (b)—

1 (i) in the first sentence, by striking
2 “Secretary of the Interior or the Secretary
3 of Agriculture” and inserting “Secretary”;

4 (ii) in the third sentence, by striking
5 “Secretaries” and inserting “Secretary”;
6 and

7 (iii) in the fourth sentence, by striking
8 “Secretaries” and inserting “Secretary”;
9 and

10 (B) in subsection (e), by striking “Sec-
11 retary of the Interior and the Secretary of Agri-
12 culture” and inserting “Secretary”;

13 (2) in section 205 (16 U.S.C. 1724)—

14 (A) in subsection (b), by striking “Sec-
15 retary of the Interior and the Secretary of Agri-
16 culture” and inserting “Secretary”; and

17 (B) in subsection (c), by striking “Sec-
18 retary of the Interior and the Secretary of Agri-
19 culture” and inserting “Secretary”;

20 (3) in section 206 (16 U.S.C. 1725)—

21 (A) in subsection (a)—

22 (i) in the first sentence—

23 (I) by striking “Secretary of the
24 Interior and the Secretary of Agri-

1 culture are each” and inserting “Sec-
2 retary is”; and

3 (II) by striking “such Secretary”
4 and inserting “the Secretary”;

5 (ii) in the third sentence, by striking
6 “Secretaries” and inserting “Secretary”;

7 and

8 (iii) in the fourth sentence, by striking
9 “Secretaries” and inserting “Secretary”;

10 and

11 (B) in the first sentence of subsection (b),
12 by striking “Secretary of the Interior or the
13 Secretary of Agriculture” and inserting “the
14 Secretary”; and

15 (4) in section 210 (16 U.S.C. 1729)—

16 (A) in subsection (a)—

17 (i) in paragraph (1), by striking “Sec-
18 retary of the Interior and the Secretary of
19 Agriculture are each” and inserting “Sec-
20 retary is”; and

21 (ii) in paragraph (2), by striking
22 “Secretary of the Interior and the Sec-
23 retary of Agriculture are each” and insert-
24 ing “Secretary is”; and

1 (B) in subsection (b), by striking “Sec-
2 retary of the Interior and the Secretary of Agri-
3 culture” and inserting “Secretary”.

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