

115TH CONGRESS
1ST SESSION

S. 1403

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 SENATE OF THE UNITED STATES

JUNE 21, 2017

Mr. MCCAIN (for himself, Mr. BENNET, Mr. UDALL, and Mr. ALEXANDER) 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 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 Con-
5 servation Service Corps Act of 2017”.

1 **SEC. 2. PURPOSES.**

2 Section 202 of the Public Lands Corps Act of 1993
3 (16 U.S.C. 1721) is amended to read as follows:

4 **“SEC. 202. PURPOSES.**

5 “The purposes of this title are—

6 “(1) to engage youth and veterans in the
7 United States in civilian national service positions to
8 conserve, rebuild, and enhance the outdoors, natural
9 resources, infrastructure, and recreation assets of
10 the United States;

11 “(2) to increase public access to, and use of,
12 public and tribal land and water, infrastructure, and
13 natural, cultural, and historical resources and treas-
14 ures, while spurring economic development and out-
15 door recreation and addressing backlogged mainte-
16 nance on public land;

17 “(3) to conserve, restore, and enhance public
18 and tribal land and water, infrastructure, and nat-
19 ural, cultural, and historical resources and treasures
20 by carrying out high-quality, cost-effective 21st Cen-
21 tury Conservation Service Corps projects;

22 “(4) to ensure that, in any State or territory of
23 the United States or on any tribal land, the activi-
24 ties and expertise of Corpsmembers will be accessible
25 to any public organization, nonprofit organization,

1 or tribal agency responsible for the stewardship of
2 land and water that is—

3 “(A) public;

4 “(B) tribal; or

5 “(C) private and has a direct or recognized
6 public benefit, in coordination with the owner of
7 the land or water;

8 “(5) to place youth and veterans in civilian na-
9 tional service positions to protect, restore, and en-
10 hance the great outdoors, natural resources, infra-
11 structure, and recreation assets of the United States
12 in a cost-effective manner without undue duplication
13 or overlap of activities or programs carried out by
14 Federal agencies;

15 “(6) to provide youth and veterans placed in ci-
16 vilian national service positions with opportunities to
17 gain in-demand skills, credentials, and education to
18 prepare for, and transition to, success in the 21st
19 century workforce; and

20 “(7) to channel widespread interest among
21 youth and veterans in serving in civilian national
22 service positions to help conserve, restore, and en-
23 hance public and tribal land and water, infrastruc-
24 ture, and natural, cultural, and historical resources
25 and treasures—

1 “(A) for the enjoyment and use of future
2 generations; and

3 “(B) to develop the next generation of out-
4 door stewards, entrepreneurs, recreationists,
5 and sportsmen and sportswomen.”.

6 **SEC. 3. DEFINITIONS.**

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

10 **“SEC. 203. DEFINITIONS.**

11 “In this title:

12 “(1) 21CSC.—The term ‘21CSC’ means the
13 21st Century Conservation Service Corps established
14 by section 204(a).

15 “(2) 21CSC ORGANIZATION.—The term
16 ‘21CSC organization’ means an organization or as-
17 sociation that meets the requirements described in
18 section 204(d).

19 “(3) 21CSC PROJECT.—The term ‘21CSC
20 project’ means a project that is carried out by a
21 21CSC organization.

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

1 “(5) INDIAN.—The term ‘Indian’ has the mean-
2 ing given the term in section 101 of the National
3 and Community Service Act of 1990 (42 U.S.C.
4 12511).

5 “(6) INDIAN YOUTH 21ST CENTURY CONSERVA-
6 TION SERVICE CORPS.—The term ‘Indian Youth
7 21st Century Conservation Service Corps’ means a
8 program of a 21CSC organization that—

9 “(A) enrolls participants, the majority of
10 whom are Indians; and

11 “(B) is established pursuant to an agree-
12 ment between a tribal agency and a 21CSC or-
13 ganization for the benefit of the members of the
14 tribal agency.

15 “(7) INSTITUTION OF HIGHER EDUCATION.—

16 “(A) IN GENERAL.—The term ‘institution
17 of higher education’ has the meaning given the
18 term in section 102 of the Higher Education
19 Act of 1965 (20 U.S.C. 1002).

20 “(B) EXCLUSION.—The term ‘institution
21 of higher education’ does not include—

22 “(i) an institution described in section
23 101(b) of the Higher Education Act of
24 1965 (20 U.S.C. 1001(b)); or

1 “(ii) an institution outside the United
 2 States, as described in section
 3 102(a)(1)(C) of that Act (20 U.S.C.
 4 1002(a)(1)(C)).

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

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

13 “(A) reducing wildfire risk to a commu-
 14 nity, municipal water supply, or at-risk land;

15 “(B) protecting a watershed;

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

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

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

25 “(i) to improve biological diversity; or

1 “(ii) to enhance—

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

4 “(II) the recovery of a species; or

5 “(III) carbon sequestration.

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

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

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

12 “(B) the District of Columbia;

13 “(C) the Commonwealth of Puerto Rico;

14 “(D) the United States Virgin Islands;

15 “(E) Guam;

16 “(F) American Samoa; and

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

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

23 “(13) TRIBAL LAND OR WATER.—The term
24 ‘tribal land or water’ means any real property or
25 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 in-
11 dividual who is not younger than age 15 and not
12 older than age 30.”.

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

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

21 Section 204 of the Public Lands Corps Act of 1993
22 (16 U.S.C. 1723) is amended to read as follows:

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

24 “(a) ESTABLISHMENT.—There is established the
25 21st Century Conservation Service Corps, to be comprised

1 of 21CSC organizations and Corpsmembers, to carry out,
 2 in partnership with participating entities, the purposes of
 3 this title.

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

11 “(c) PARTICIPATING ENTITIES.—

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

16 “(2) LIST OF PARTICIPATING ENTITIES.—The
 17 participating entities shall be—

18 “(A) the Department of the Interior;

19 “(B) the Department of Agriculture;

20 “(C) the Department of Transportation;

21 “(D) the Department of Labor;

22 “(E) the Department of Energy;

23 “(F) the Department of Defense;

24 “(G) the Department of Veterans Affairs;

25 “(H) the Department of Commerce;

1 “(I) the Department of Education;

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

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

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

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

10 “(N) any other Federal agency that noti-
11 fies the President of the intent of the Federal
12 agency to participate in and carry out a 21CSC
13 project.

14 “(3) SUPPORT FOR THE 21CSC.—

15 “(A) IN GENERAL.—The head of a partici-
16 pating entity may provide support to the
17 21CSC by—

18 “(i) establishing standards for the
19 21CSC;

20 “(ii) establishing a process for an or-
21 ganization to apply and be approved to be-
22 come a 21CSC organization;

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

1 “(iv) using or leveraging existing
2 funds, or acquiring funds and other re-
3 sources, under section 210 to support
4 21CSC projects through entering into a co-
5 operative agreement under paragraph
6 (5)(A)(i);

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

11 “(vi) using technology to support
12 21CSC projects; and

13 “(vii) collecting performance data on
14 21CSC projects—

15 “(I) to prepare the reports re-
16 ferred to in subparagraph (C)(i)(I);
17 and

18 “(II) to demonstrate the impact
19 of the 21CSC projects.

20 “(B) COORDINATION.—

21 “(i) IN GENERAL.—The heads of each
22 of the participating entities shall, to the
23 maximum extent practicable, coordinate
24 with each other or the head of any other
25 Federal agency that is affected by, or car-

1 rying out, an activity that is similar to a
2 21CSC project—

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

8 “(II) to maximize 21CSC project
9 completion in a cost-effective manner
10 by collaborating to leverage existing
11 resources described in section 210(b).

12 “(ii) APPROVAL AND DATA COLLEC-
13 TION.—The head of each participating en-
14 tity shall, to the maximum extent prac-
15 ticable, coordinate with each other head of
16 a participating entity—

17 “(I) to approve organizations as
18 21CSC organizations; and

19 “(II) to collect the data referred
20 to in items (aa) through (dd) of sub-
21 paragraph (C)(i)(I).

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

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

3 “(II) the Departments of Vet-
4 erans Affairs and Labor on methods
5 to increase the participation of vet-
6 erans in 21CSC projects; and

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 Indi-
11 ans in 21CSC projects.

12 “(C) REPORTING.—

13 “(i) 21CSC REPORTS.—

14 “(I) REPORT TO CONGRESS.—As
15 soon as practicable after the date of
16 enactment of the 21st Century Con-
17 servation Service Corps Act of 2017,
18 the Chief Executive Officer of the
19 Corporation for National and Commu-
20 nity Service, in coordination with the
21 head of each participating entity, shall
22 submit to Congress a report that in-
23 cludes data, for the year covered by
24 the report, including—

1 “(aa) the number of Corps-
2 members that carried out 21CSC
3 projects and the length of the
4 term of service for each Corps-
5 member;

6 “(bb) the total amount of
7 funding provided by participating
8 entities for the service of Corps-
9 members;

10 “(cc) the type of service per-
11 formed by Corpsmembers and the
12 impact and accomplishments of
13 the service; and

14 “(dd) any other similar data
15 determined by the Chief Execu-
16 tive Officer of the Corporation
17 for National and Community
18 Service or the head of a partici-
19 pating entity to be appropriate,
20 including data sufficient to deter-
21 mine the effectiveness of 21CSC
22 organizations in carrying out ac-
23 tivities to achieve the purposes of
24 this title in a manner that—

1 “(AA) is cost-effective;
2 and
3 “(BB) does not unduly
4 duplicate or overlap with
5 any other activity or pro-
6 gram carried out by any
7 other Federal agency.

8 “(II) DATA FROM PARTICIPATING
9 ENTITIES.—Not later than 1 year
10 after the date of enactment of the
11 21st Century Conservation Service
12 Corps Act of 2017, and annually
13 thereafter, the head of each partici-
14 pating entity shall submit to the Chief
15 Executive Officer of the Corporation
16 for National and Community Service
17 the data described in items (aa)
18 through (dd) of subclause (I).

19 “(III) DATA COLLECTION.—The
20 Chief Executive Officer of the Cor-
21 poration for National and Community
22 Service may coordinate with individual
23 21CSC organizations to improve the
24 collection of the required data de-

1 scribed in items (aa) through (dd) of
2 subclause (I).

3 “(ii) COMPTROLLER GENERAL RE-
4 PORTS.—

5 “(I) IN GENERAL.—The Comp-
6 troller General of the United States
7 shall prepare and submit to Con-
8 gress—

9 “(aa) not later than 3 years
10 after the date of submission of
11 the first report under clause
12 (i)(I), an interim report; and

13 “(bb) not later than 5 years
14 after the date of submission of
15 the first report under that clause,
16 a final report.

17 “(II) CONTENTS.—The interim
18 and final reports referred to in sub-
19 clause (I) shall include—

20 “(aa) an assessment, based
21 on the data described in items
22 (aa) through (dd) of clause (i)(I),
23 of the effectiveness of 21CSC or-
24 ganizations in achieving the pur-

1 poses of this title in a manner
2 that—

3 “(AA) is cost-effective;
4 and

5 “(BB) does not unduly
6 duplicate or overlap with
7 any other activity or pro-
8 gram carried out by any
9 other Federal agency; and

10 “(bb) recommendations on
11 how to more effectively manage
12 and carry out 21CSC projects to
13 achieve the purposes of this title
14 in the manner described in item
15 (aa).

16 “(III) ADDITIONAL REPORTS.—
17 The Comptroller General of the
18 United States may submit to Con-
19 gress any additional report that in-
20 cludes the content described in sub-
21 clause (II), as the Comptroller Gen-
22 eral determines to be necessary.

23 “(4) GIFTS AND DONATIONS.—The head of a
24 participating entity may accept, use, or dispose of a
25 contribution that is a gift or donation of money,

1 services, or property to support the development, im-
 2 plementation, and expansion of a 21CSC project, in
 3 accordance with applicable law (including regula-
 4 tions).

5 “(5) COOPERATIVE AGREEMENTS WITH 21CSC
 6 ORGANIZATIONS.—

7 “(A) IN GENERAL.—The head of each par-
 8 ticipating entity may—

9 “(i) develop a public-private partner-
 10 ship with a 21CSC organization by enter-
 11 ing into a cooperative agreement with the
 12 21CSC organization to support and carry
 13 out 21CSC projects; and

14 “(ii) leverage existing resources de-
 15 scribed in section 210(b) to support a co-
 16 operative agreement.

17 “(B) TYPE OF COOPERATIVE AGREE-
 18 MENT.—A cooperative agreement under this
 19 paragraph may—

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

22 “(ii) be a broad agreement covering
 23 multiple planned or future 21CSC projects;
 24 or

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

4 “(I) the Federal Government;

5 “(II) a State government; or

6 “(III) a tribal agency.

7 “(C) SET SHARE.—A cooperative agree-
 8 ment under this paragraph shall include a pro-
 9 vision specifying the cost share that the 21CSC
 10 organization will provide under section 210(c).

11 “(d) 21CSC ORGANIZATIONS.—

12 “(1) IN GENERAL.—To be considered and ap-
 13 proved as a 21CSC organization, an organization
 14 shall, to the maximum extent practicable, dem-
 15 onstrate the ability to meet, and provide assurances
 16 that the organization will meet, each requirement
 17 described in paragraphs (2) through (6).

18 “(2) 21CSC CORPSMEMBERS ENGAGED BY
 19 21CSC ORGANIZATIONS.—

20 “(A) IN GENERAL.—In addition to meeting
 21 the requirement of subparagraph (B), any indi-
 22 vidual selected by a 21CSC organization to
 23 carry out a 21CSC project shall, to the max-
 24 imum extent practicable, be—

“(i) notwithstanding paragraphs (3) and (4) of section 137(a) of the National and Community Service Act of 1990 (42 U.S.C. 12591(a)), a youth, in the case of any Corpsmember participating in a 21CSC project supported and carried out by the Corporation for National and Community Service; or

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

“(B) CITIZENSHIP REQUIREMENT.—Any individual selected as a Corpsmember shall be—

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

“(ii) a lawful permanent resident of the United States.

“(C) EMPHASIS ON DIVERSITY AND INCLUSION.—In selecting a Corpsmember, a 21CSC organization shall make deliberate outreach efforts to engage an individual who—

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

“(ii) represents a traditionally underserved population, including veterans, Indians, and disadvantaged youth (as defined in section 101 of the National and Com-

1 community Service Act of 1990 (42 U.S.C.
2 12511)).

3 “(3) COMPENSATION FOR PARTICIPANTS.—A
4 21CSC organization shall provide compensation to
5 each Corpsmember that includes 1 or more of the
6 following:

7 “(A) A wage.

8 “(B) A stipend.

9 “(C) A living allowance.

10 “(D) An educational credit that may be
11 applied towards a program of postsecondary
12 education at an institution of higher education
13 that agrees to award the credit for participation
14 in a 21CSC project.

15 “(4) ORGANIZATION OF SERVICE FOR PARTICI-
16 PANTS.—In carrying out a 21CSC project, a 21CSC
17 organization shall, to the maximum extent prac-
18 ticable, organize each Corpsmember as—

19 “(A) a crew-based participant who—

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

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

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

3 “(i) individually or in a coordinated
4 small team, as applicable;

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

7 “(iii) on an initiative that requires
8 specific skills and dedicated attention.

9 “(5) 21CSC PROJECTS.—A 21CSC organization
10 shall carry out a 21CSC project that includes na-
11 tional service, and may be a priority project, involv-
12 ing—

13 “(A) the conservation, restoration, and en-
14 hancement of—

15 “(i) a unit of the National Park Sys-
16 tem or National Forest System;

17 “(ii) public or tribal land or water; or

18 “(iii) natural, cultural, or historical
19 resources or treasures;

20 “(B) the conservation, restoration, man-
21 agement, and development of the natural re-
22 sources and infrastructure of the United States,
23 including—

24 “(i) removal of invasive species;

25 “(ii) wildfire prevention and response;

- 1 “(iii) disaster resiliency, mitigation,
- 2 response, and recovery;
- 3 “(iv) trail development and mainte-
- 4 nance;
- 5 “(v) coastal restoration and resiliency;
- 6 “(vi) historic preservation;
- 7 “(vii) public safety;
- 8 “(viii) energy efficiency and alter-
- 9 native energy;
- 10 “(ix) water infrastructure;
- 11 “(x) construction, repair, rehabilita-
- 12 tion, or maintenance of—
- 13 “(I) a road;
- 14 “(II) a campground; or
- 15 “(III) any other recreation or vis-
- 16 itor facility or housing structure; and
- 17 “(xi) any other related project that
- 18 furthers the purposes of this title;
- 19 “(C) the support, development, and en-
- 20 hancement of outdoor recreation or urban green
- 21 space, including for the purpose of public ac-
- 22 cess;
- 23 “(D) service that is primarily indoors, such
- 24 as service in a science, policy, or program in-
- 25 ternship, with a clear benefit for natural, cul-

tural, or historic resources or treasures, which
 may include the provision of interpretation and
 education services to—

“(i) the public; or

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

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

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

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

“(6) 21CSC CORPSMEMBERS.—In carrying out
 a 21CSC project, a 21CSC organization shall pro-
 vide each Corpsmember with—

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

1 “(B) community skill development to help
2 the Corpsmember—

3 “(i) acquire an ethic of service to oth-
4 ers and the United States; and

5 “(ii) become a more effective natural
6 resource and community steward; and

7 “(C) a greater understanding of the nat-
8 ural, cultural, or historic resources or treasures
9 of the United States.

10 “(e) CORPSMEMBER COMPENSATION AND EMPLOY-
11 MENT STANDARDS.—

12 “(1) CORPSMEMBER COMPENSATION STAND-
13 ARD.—

14 “(A) SPECIFIC WAGE RATES.—A form of
15 compensation provided under subparagraph (A),
16 (B), or (C) of subsection (d)(3) shall be consid-
17 ered to be established at a specific wage rate,
18 in the same manner as the compensation pro-
19 vided for a living allowance under section 140
20 of the National and Community Service Act of
21 1990 (42 U.S.C. 12594).

22 “(B) COMPENSATION FOR CERTAIN CORPS-
23 MEMBERS.—The compensation provided under
24 subsection (d)(3) to a Corpsmember who is not
25 a participant in a 21CSC project supported by

1 the Corporation for National and Community
 2 Service shall not be subject to any provision of
 3 (including a regulation under) the National and
 4 Community Service Act of 1990 (42 U.S.C.
 5 12501 et seq.) relating to a wage rate, but shall
 6 be considered to be established at a specific
 7 wage rate, in the manner described in subpara-
 8 graph (A).

9 “(C) RULE OF CONSTRUCTION.—Nothing
 10 in subparagraph (A) applies a specific wage
 11 rate for a living allowance that is established
 12 under section 140 of the National and Commu-
 13 nity Service Act of 1990 (42 U.S.C. 12594) to
 14 the compensation of a Corpsmember under sub-
 15 section (d)(3).

16 “(2) CORPSMEMBER EMPLOYMENT STAND-
 17 ARD.—

18 “(A) IN GENERAL.—Except as provided in
 19 subparagraphs (B) and (C), in parity with sec-
 20 tion 101(30) of the National and Community
 21 Service Act of 1990 (42 U.S.C. 12511(30)), a
 22 Corpsmember shall be considered to be a partic-
 23 ipant (as defined in section 101 of the National
 24 and Community Service Act of 1990 (42 U.S.C.

1 12511)), not an employee, of the 21CSC orga-
 2 nization for which the Corpsmember serves.

3 “(B) FEDERAL EMPLOYMENT PROVI-
 4 SIONS.—Notwithstanding subparagraph (A),
 5 Federal employment provisions shall apply to a
 6 Corpsmember to the extent that those provi-
 7 sions apply to a participant or crew leader
 8 under section 199M(b) of the National and
 9 Community Service Act of 1990 (42 U.S.C.
 10 12655n(b)).

11 “(C) CHILD LABOR PROVISIONS.—Not-
 12 withstanding subparagraph (A)—

13 “(i) the child labor provisions under
 14 section 12 of the Fair Labor Standards
 15 Act of 1938 (29 U.S.C. 212) (including
 16 any order or regulation issued under the
 17 authority of such section or section 3(l) of
 18 such Act (29 U.S.C. 203(l))) shall apply to
 19 a Corpsmember and the 21CSC organiza-
 20 tion for which the Corpsmember serves in
 21 the same manner as such provisions apply
 22 to an employee and an employer under
 23 such Act; and

24 “(ii) a violation of a section specified
 25 in clause (i) by a 21CSC organization shall

1 be enforced by the Secretary of Labor in
 2 the same manner, and subject to the same
 3 penalties under the Fair Labor Standards
 4 Act of 1938 (29 U.S.C. 201 et seq.), as a
 5 violation by an employer of section 12 of
 6 such Act (29 U.S.C. 212).

7 “(3) CIVIL SERVICE.—An individual may be en-
 8 rolled as a Corpsmember without regard to the civil
 9 service and classification laws, rules, or regula-
 10 tions.”.

11 **SEC. 5. 21ST CENTURY CONSERVATION SERVICE CORPS**
 12 **CONSERVATION CENTERS AND PROGRAM**
 13 **SUPPORT.**

14 Section 205 of the Public Lands Corps Act of 1993
 15 (16 U.S.C. 1724) is amended—

16 (1) in subsection (a)—

17 (A) by striking “Secretary” each place it
 18 appears and inserting “head of a participating
 19 entity”; and

20 (B) in paragraph (1)—

21 (i) in subparagraph (A), by striking
 22 “Public Lands Corps” and inserting
 23 “21CSC”; and

1 (ii) in subparagraph (B), by striking
 2 “conservation projects” and inserting
 3 “21CSC projects”;

4 (2) in subsection (b)—

5 (A) in the heading, by inserting “, TEM-
 6 PORARY HOUSING, AND TRANSPORTATION”
 7 after “LOGISTICAL SUPPORT”;

8 (B) in the first sentence—

9 (i) by striking “The Secretary” and
 10 inserting the following:

11 “(1) LOGISTICAL SUPPORT.—

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

14 (ii) by striking “the Corps” and in-
 15 serting “the 21CSC”;

16 (C) in the second sentence, by striking
 17 “Logistical support” and inserting the fol-
 18 lowing:

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

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

22 “(2) TEMPORARY HOUSING.—The head of a
 23 participating entity may make arrangements with
 24 another Federal agency or a State, local govern-

1 ment, or private organization to provide temporary
2 housing for Corpsmembers as needed and available.

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

7 (3) in subsection (c)—

8 (A) by striking “The Secretary” and in-
9 serting “The head of a participating entity”;
10 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
23 “The Secretary” and inserting the following:

24 “(D) PREFERENCE.—The head of a par-
25 ticipating entity”;

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

3 “(C) SELECTION.—The head of a partici-
4 pating entity”;

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

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

8 (D) by striking the first sentence and in-
9 serting the following:

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

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

17 “(b) USE OF 21CSC ORGANIZATIONS.—

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,
22 the head of the participating entity may implement
23 this 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 as-
 3 sistants, through 1 or more private sources of fund-
 4 ing, at a level equal to 25 percent of the total costs
 5 of each participant in the resource assistant pro-
 6 gram that has been recruited and placed through the
 7 21CSC organization.

8 “(3) ANNUAL REPORT.—A 21CSC organization
 9 providing recruitment and placement services under
 10 paragraph (1) shall submit to the head of the appli-
 11 cable participating entity an annual report that eval-
 12 uates the scope, size, and quality of the resource as-
 13 sistant program carried out by the 21CSC organiza-
 14 tion, including a description of the value of the work
 15 contributed by resource assistants to the mission of
 16 the 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
5 participating entity as having successfully completed
6 640 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 Ca-
15 reer Services), as amended by Executive Order
16 12107 (44 Fed. Reg. 1055; relating to the Civil
17 Service Commission and Labor-Management in the
18 Federal Service).

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

24 “(3) TIME-LIMITED APPOINTMENT.—For pur-
25 poses of section 9602 of title 5, United States Code,

1 a qualified Corpsmember hired by a participating
 2 entity that is a land management agency for a time-
 3 limited appointment shall be considered to be ap-
 4 pointed initially under open, competitive examina-
 5 tion.

6 “(c) SERVICE HOURS.—

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

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

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

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

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

1 so as to facilitate the attainment of the 640 hours
 2 of service by Corpsmembers required under sub-
 3 section (a)(2).

4 “(4) TRACKING HOURS.—Participating entities
 5 shall coordinate with 21CSC organizations to iden-
 6 tify the most effective and efficient method for
 7 tracking and certifying the 640 hours of service re-
 8 quired under subsection (a)(2).

9 “(d) GUIDANCE.—The head of each participating en-
 10 tity, and any subdivision of a participating entity, shall
 11 coordinate with the head of each other participating enti-
 12 ty, and subdivision of each other participating entity, to
 13 implement and issue guidance on eligibility for non-
 14 competitive hiring status under subsection (b) in a uni-
 15 form manner to—

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

18 “(2) minimize inconsistency.”.

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

20 Section 208 of the Public Lands Corps Act of 1993
 21 (16 U.S.C. 1727) is amended—

22 (1) in subsection (a), in the first sentence—

23 (A) by striking “participant in the Public
 24 Lands Corps” and inserting “Corpsmember”;
 25 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) the fol-
 22 lowing:

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 le-
 2 verage those funds by soliciting cash or in-kind con-
 3 tributions from public or private sources.

4 “(2) METHODS.—A 21CSC organization may
 5 leverage funds by soliciting contributions using inno-
 6 vative 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
 15 not less than 10 percent of the total cost of the 21CSC
 16 project, which may include cash or in-kind contributions
 17 from a 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
8 head 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 strik-
14 ing “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
18 or to support resource assistants and Corpsmembers
19 or 21CSC organizations under this title, the head of
20 a participating entity”; and

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

22 (A) by striking “section 211” and insert-
23 ing “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.
4 1721 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
13 or a 21CSC organization to establish and administer the
14 Indian Youth 21st Century Conservation Service Corps,
15 which shall carry out 1 or more 21CSC projects on tribal
16 land or water.

17 “(b) GUIDELINES.—Not later than 18 months after
18 the date of enactment of the 21st Century Conservation
19 Service Corps Act of 2017, the Secretary of the Interior,
20 in consultation with Indian tribes, shall issue guidelines
21 for the management of the Indian Youth 21st Century
22 Conservation Service Corps, in accordance with this Act
23 and any other applicable Federal laws.

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

25 “Except as provided in section 204(d)(2)(A)(i), 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
 3 be in addition to any requirement or authority provided
 4 under other Federal law with respect to Corpsmembers,
 5 21CSC organizations, and participating entities with re-
 6 spect to the 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,
 10 2012 (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
 15 Corps Act of 1993 (16 U.S.C. 1722)) (referred
 16 to in this subsection as a ‘participating enti-
 17 ty’)”; and

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

23 (2) in paragraph (2)(A), by striking “land man-
 24 aging agency, such as the National Park Service

- 1 Business Plan Internship” and inserting “partici-
- 2 pating entity”.

