case of live trees, are surplus to growing stock needs.

(Pub. L. 96–554, § 7, Dec. 19, 1980, 94 Stat. 3258.)

§ 1687. Authorization of appropriations

There is hereby authorized to be appropriated not to exceed $25,000,000 for each of the fiscal years 1982, 1983, 1984, 1985, and 1986 to carry out the pilot projects and demonstrations authorized by section 1682 of this title, the residue removal credits authorized by section 1683 of this title, and the other provisions of this subchapter: *Provided*, That not to exceed $2,500,000 of such amount may be appropriated for administrative expenses to carry out this subchapter for the period beginning October 1, 1981, and ending September 30, 1986. Such sums shall be in addition to those provided under other provisions of law and shall remain available until expended.

(Pub. L. 96–554, § 8, Dec. 19, 1980, 94 Stat. 3259.)

CHAPTER 37—YOUTH CONSERVATION CORPS AND PUBLIC LANDS CORPS

SUBCHAPTER I—YOUTH CONSERVATION CORPS

Sec.
1701. Congressional declaration of policy and purpose.
1702. Establishment.
1703. Duties and functions of Secretary of the Interior and Secretary of Agriculture.
1704. Grants to States.
1705. Repealed.
1706. Authorization of appropriations.

SUBCHAPTER II—PUBLIC LANDS CORPS

1721. Congressional findings and purpose.
1722. Definitions.
1723. Public Lands Corps program.
1724. Conservation centers and program support.
1725. Resource assistants.
1726. Living allowances and terms of service.
1727. National service educational awards.
1728. Nondisplacement.
1729. Funding.
1730. Authorization of appropriations.

SUBCHAPTER I—YOUTH CONSERVATION CORPS

§ 1701. Congressional declaration of policy and purpose

The Congress finds that the Youth Conservation Corps has demonstrated a high degree of success as a pilot program wherein American youth, representing all segments of society, have benefited by gainful employment in the healthful outdoor atmosphere of the national park system, the national forest system, other public land and water areas of the United States and by their employment have developed, enhanced, and maintained the natural resources of the United States, and whereas in so doing the youth have gained an understanding and appreciation of the Nation's environment and heritage equal to one full academic year of study, it is accordingly the purpose of this subchapter to expand and make permanent the Youth Conservation Corps and thereby further the development and maintenance of the natural resources by America's youth, and in so doing to prepare them for the ultimate responsibility of maintaining and managing these resources for the American people.

(Pub. L. 91–378, title I, § 101, formerly § 1, Aug. 13, 1970, 84 Stat. 794; Pub. L. 92–597, Oct. 27, 1972, 86 Stat. 1319; Pub. L. 93–408, Sept. 3, 1974, 88 Stat. 1066; renumbered title I, § 101, and amended Pub. L. 103–82, title I, § 105(1)–(3), Sept. 21, 1993, 107 Stat. 848.)

AMENDMENTS

1993—Pub. L. 103–82, § 105(2), substituted ''subchapter'' for ''chapter''.

1974—Pub. L. 93–408 substantially reenacted existing provisions and added finding that the Youth Conservation Corps program be expanded and made permanent in view of the success of the pilot program.

1972—Pub. L. 92–597 substituted ''areas of the United States'' for ''areas administered by the Secretary of the Interior and the Secretary of Agriculture''.

EFFECTIVE DATE OF 1993 AMENDMENT

Section 123 of title I of Pub. L. 103–82 provided that: ''This title [see Tables for classification], and the amendments made by this title, shall take effect on October 1, 1993.''

SHORT TITLE OF 2005 AMENDMENT

Pub. L. 109–154, § 1, Dec. 30, 2005, 119 Stat. 2890, provided that: ''This Act [enacting section 1730 of this title and amending sections 1722 to 1726 and 1729 of this title] may be cited as the 'Public Lands Corps Healthy Forests Restoration Act of 2005'.''

SHORT TITLE

Title I of Pub. L. 91–378, Aug. 13, 1970, 84 Stat. 794, which enacted this subchapter, is popularly known as the ''Youth Conservation Corps Act of 1970''.

Section 201 of title II of Pub. L. 91–378, as added by Pub. L. 103–82, title I, § 105(6), Sept. 21, 1993, 107 Stat. 848, provided that: ''This title [enacting subchapter II of this chapter] may be cited as the 'Public Lands Corps Act of 1993'.''

§ 1702. Establishment

(a) Age of participants

To carry out the purposes of this subchapter, there is established in the Department of the Interior and the Department of Agriculture a Youth Conservation Corps (hereinafter in this subchapter referred to as the ''Corps''). The Corps shall consist of young men and women who are permanent residents of the United States, its territories, possessions, trust territories, or Commonwealth of Puerto Rico who have attained age fifteen but have not attained age nineteen, and whom the Secretary of the Interior or the Secretary of Agriculture may employ without regard to the civil service or classification laws, rules, or regulations, for the purpose of developing, preserving, or maintaining the lands and waters of the United States.

(b) Equal employment opportunity and employment; term

The Corps shall be open to youth from all parts of the country of both sexes and youth of all social, economic, and racial classifications with all Corps members receiving compensation consistent with work accomplished, and with no person being employed as a member of the Corps for a term in excess of ninety days during any single year.

(Pub. L. 91–378, title I, § 102, formerly § 2, Aug. 13, 1970, 84 Stat. 795; Pub. L. 92–597, Oct. 27, 1972, 86 Stat. 1319; Pub. L. 93–408, Sept. 3, 1974, 88 Stat. 1066; renumbered title I, § 102, and amended Pub. L. 103–82, title I, § 105(1)–(4), Sept. 21, 1993, 107 Stat. 848.)

AMENDMENTS

1993—Subsec. (a). Pub. L. 103–82, § 105(2), (4), substituted ''subchapter'' for ''chapter'' and inserted ''in this subchapter'' after ''(hereinafter''.

1974—Subsec. (a). Pub. L. 93–408 extended eligibility to permanent residents of Puerto Rico, removed the restriction that employment be in the summer months only, and substituted ''waters of the United States'' for ''waters of the United States under his jurisdiction''.

Subsec. (b). Pub. L. 93–408 substituted ''from all parts of the country of both sexes and youth of all social, economic, and racial classifications with all Corps members receiving compensation consistent with work accomplished, and with'' for ''of both sexes and youth of all social, economic, and racial classifications, with''.

1972—Subsec. (a). Pub. L. 92–597 substituted ''established in the Department of the Interior and the Department of Agriculture a Youth Conservation'' and ''under his jurisdiction'' for ''hereby established in the Department of the Interior and the Department of Agriculture a three-year pilot program designated as the Youth Conservation'' and ''under the jurisdiction of the appropriate Secretary'' respectively, and extended eligibility to permanent residents of trust territories.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103–82 effective Oct. 1, 1993, see section 123 of Pub. L. 103–82, set out as a note under section 1701 of this title.

§ 1703. Duties and functions of Secretary of the Interior and Secretary of Agriculture

(a) Programs and projects; conditions of employment; regulations; use of facilities by educational institutions

In carrying out this subchapter, the Secretary of the Interior and the Secretary of Agriculture shall—

(1) determine the areas under their administrative jurisdictions which are appropriate for carrying out the programs using employees of the Corps;

(2) determine with other Federal agencies the areas under the administrative jurisdiction of these agencies which are appropriate for carrying out programs using members of the Corps, and determine and select appropriate work and education programs and projects for participation by members of the Corps;

(3) determine the rates of pay, hours, and other conditions of employment in the Corps, except that all members of the Corps shall not be deemed to be Federal employees other than for the purpose of chapter 171 of title 28, and chapter 81 of title 5.

(4) provide for such transportation, lodging, subsistence, and other services and equipment as they may deem necessary or appropriate for the needs of members of the Corps in their duties:

(5) promulgate regulation to insure the safety, health, and welfare of the Corps members; and

(6) provide to the extent possible, that permanent or semipermanent facilities used as Corps camps be made available to local schools, school districts, State junior colleges and universities, and other education institutions for use as environmental/ecological education camps during periods of nonuse by the Corps program.

Costs for operations maintenance, and staffing of Corps camp facilities during periods of use by non-Corps programs as well as any liability for personal injury or property damage stemming from such use shall be the responsibility of the entity or organization using the facility and shall not be a responsibility of the Secretaries or the Corps.

(b) Use of unoccupied Federal facilities and equipment

Existing but unoccupied Federal facilities and surplus or unused equipment (or both), of all types including military facilities and equipment, shall be utilized for the purposes of the Corps, where appropriate and with the approval of the Federal agency involved. To minimize transportation costs, Corps members shall be employed on conservation projects as near to their places of residence as is feasible.

(c) Contracts for the operation of projects

The Secretary of the Interior and the Secretary of Agriculture may contract with any public agency or organization or any private nonprofit agency or organization which has been in existence for at least five years for the operation of any Youth Conservation Corps project.

(Pub. L. 91–378, title I, § 103, formerly § 3, Aug. 13, 1970, 84 Stat. 795; Pub. L. 92–597, Oct. 27, 1972, 86 Stat. 1319; Pub. L. 93–408, Sept. 3, 1974, 88 Stat. 1067; renumbered title I, § 103, and amended Pub. L. 103–82, title I, § 105(1)–(3), Sept. 21, 1993, 107 Stat. 848.)

AMENDMENTS

1993—Subsec. (a). Pub. L. 103–82, § 105(2), substituted ''subchapter'' for ''chapter'' in introductory provisions.

1974—Pub. L. 93–408 reenacted existing provisions with minor changes.

1972—Pub. L. 92–597 substantially reenacted existing provisions and inserted provisions requiring the Secretary of the Interior and the Secretary of Agriculture to determine and select appropriate work and education programs and projects for participation by members of the Corps and to provide that permanent or semipermanent facilities used as Corps camps be made available to local schools, school districts, and such other institutions for use as environmental education camps during periods of nonuse by the Corps program, that the costs of operation, maintenance, and staffing of Corps camp facilities during periods of use by non-Corps programs and liabilities arising from such use shall be the responsibility of the organization using the facility and, struck out provisions requiring preparation and submission to the President of a report not later than Aug. 13, 1971, for transmittal to the Congress for review and appropriate action, and that the provisions of Title II of the Revenue and Expenditure Control Act of 1968 shall not apply to appointments made to the Corps, to temporary supervisory personnel, or to temporary program support staff.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103–82 effective Oct. 1, 1993, see section 123 of Pub. L. 103–82, set out as a note under section 1701 of this title.

§ 1704. Grants to States

(a) Projects for preservation of non-Federal public lands and waters; "States" defined

The Secretary of the Interior and the Secretary of Agriculture shall jointly establish a program under which grants shall be made to States to assist them in meeting the cost of projects for the employment of young men and women to develop, preserve, and maintain non-Federal public lands and waters within the States. For purposes of this section, the term ''States'' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa.

(b) Application requirements for grants; approval by Secretaries

(1) No grant may be made under this section unless an application therefor has been submitted to, and approved by, the Secretary of the Interior and the Secretary of Agriculture. Such application shall be in such form, and submitted in such manner, as the Secretaries shall jointly by regulation prescribe, and shall contain—

(A) assurances satisfactory to the Secretaries that individuals employed under the project for which the application is submitted shall (i) have attained the age of fifteen but not attained the age of nineteen, (ii) be permanent residents of the United States or its territories, possessions, or the Trust Territory of the Pacific Islands, (iii) be employed without regard to the personnel laws, rules, and regulations applicable to full-time employees of the applicant, (iv) be employed for a period of not more than ninety days in any calendar year, and (v) be employed without regard to their sex or social, economic, or racial classification; and

(B) such other information as the Secretaries may jointly by regulation prescribe.

(2) The Secretaries may approve applications which they determine (A) to meet the requirements of paragraph (1), and (B) are for projects which will further the development, preservation, or maintenance of non-Federal public lands or waters within the jurisdiction of the applicant.

(c) Limitation on the amount of grant

(1) The amount of any grant under this section shall be determined jointly by the Secretaries, except that no grant for any project may exceed 80 per centum of the cost (as determined by the Secretaries) of such project.

(2) Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretaries find necessary.

(d) Appropriation percentage

Thirty per centum of the sums appropriated under section 1706 of this title for any fiscal year shall be made available for grants under this section for such fiscal year.

(Pub. L. 91–378, title I, § 104, formerly § 4, Aug. 13, 1970, 84 Stat. 796; Pub. L. 92–597, Oct. 27, 1972, 86 Stat. 1320; Pub. L. 93–408, Sept. 3, 1974, 88 Stat. 1067; renumbered title I, § 104, and amended Pub. L. 103–82, title I, § 105(1), (3), (5), Sept. 21, 1993, 107 Stat. 848.)

AMENDMENTS

1993—Subsec. (d). Pub. L. 103–82, § 105(5), made technical amendment to reference to section 1706 of this title to reflect renumbering of corresponding section of original act.

1974—Subsec. (a). Pub. L. 93–408 substituted ''jointly establish a program'' for ''jointly establish a pilot grant program''.

1972—Pub. L. 92–579 substituted provisions relating to pilot grant program for State projects for provisions relating to Secretarial reports.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103–82 effective Oct. 1, 1993, see section 123 of Pub. L. 103–82, set out as a note under section 1701 of this title.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

§ 1705. Repealed. Pub. L. 104–333, div. I, title VIII, § 814(d)(1)(N), Nov. 12, 1996, 110 Stat. 4196

Section, Pub. L. 91–378, title I, § 105, formerly § 5, Aug. 13, 1970, 84 Stat. 796; Pub. L. 92–597, Oct. 27, 1972, 86 Stat. 1321; Pub. L. 93–408, Sept. 3, 1974, 88 Stat. 1068; renumbered title I, § 105, and amended Pub. L. 103–82, title I, § 105(1)–(3), Sept. 21, 1993, 107 Stat. 848, directed Secretaries of the Interior and Agriculture to annually prepare joint report detailing activities carried out under this subchapter to President and Congress.

§ 1706. Authorization of appropriations

There are authorized to be appropriated amounts not to exceed $60,000,000 for each fiscal year, which amounts shall be made available to the Secretary of the Interior and the Secretary of Agriculture to carry out the purposes of this subchapter. Notwithstanding any other provision of law, funds appropriated for any fiscal year to carry out this subchapter shall remain available for obligation and expenditure until the end of the fiscal year following the fiscal year for which appropriated.

(Pub. L. 91–378, title I, § 106, formerly § 6, as added Pub. L. 92–597, Oct. 27, 1972, 86 Stat. 1321; amended Pub. L. 93–408, Sept. 3, 1974, 88 Stat. 1068; renumbered title I, § 106, and amended Pub. L. 103–82, title I, § 105(1)–(3), Sept. 21, 1993, 107 Stat. 848.)

AMENDMENTS

1993—Pub. L. 103–82, § 105(2), substituted ''subchapter'' for ''chapter'' in two places.

1974—Pub. L. 93–408 substituted authorization of appropriation of amount not exceeding $60,000,000 for each fiscal year for authorization of appropriation of amounts not exceeding $30,000,000 for fiscal year ending June 30, 1973 and $60,000,000 for fiscal year ending June 30, 1974.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103–82 effective Oct. 1, 1993, see section 123 of Pub. L. 103–82, set out as a note under section 1701 of this title.

SUBCHAPTER II—PUBLIC LANDS CORPS

§ 1721. Congressional findings and purpose

(a) Findings

The Congress finds the following:

(1) Conserving or developing natural and cultural resources and enhancing and maintaining environmentally important lands and waters through the use of the Nation's young men and women in a Public Lands Corps can benefit those men and women by providing them with education and work opportunities, furthering their understanding and appreciation of the natural and cultural resources, and providing a means to pay for higher education or to repay indebtedness they have incurred to obtain higher education while at the same time benefiting the Nation's economy and its environment.

(2) Many facilities and natural resources located on eligible service lands are in disrepair or degraded and in need of labor intensive rehabilitation, restoration, and enhancement work which cannot be carried out by Federal agencies at existing personnel levels.

(3) Youth conservation corps have established a good record of restoring and maintaining these kinds of facilities and resources in a cost effective and efficient manner, especially when they have worked in partnership arrangements with government land management agencies.

(b) Purpose

It is the purpose of this subchapter to—

(1) perform, in a cost-effective manner, appropriate conservation projects on eligible service lands where such projects will not be performed by existing employees;

(2) assist governments and Indian tribes in performing research and public education tasks associated with natural and cultural resources on eligible service lands;

(3) expose young men and women to public service while furthering their understanding and appreciation of the Nation's natural and cultural resources;

(4) expand educational opportunities by rewarding individuals who participate in national service with an increased ability to pursue higher education or job training; and

(5) stimulate interest among the Nation's young men and women in conservation careers by exposing them to conservation professionals in land managing agencies.

(Pub. L. 91–378, title II, § 202, as added Pub. L. 103–82, title I, § 105(6), Sept. 21, 1993, 107 Stat. 848.)

EFFECTIVE DATE

Subchapter effective Oct. 1, 1993, see section 123 of Pub. L. 103–82, set out as an Effective Date of 1993 Amendment note under section 1701 of this title.

SHORT TITLE

For short title of title II of Pub. L. 91–378, as added by Pub. L. 103–82, title I, § 105(6), Sept. 21, 1993, 107 Stat. 848, as the ''Public Lands Corps Act of 1993'', see Short Title note set out under section 1701 of this title.

§ 1722. Definitions

For purposes of this subchapter:

(1) Appropriate conservation project

The term ''appropriate conservation project'' means any project for the conservation, restoration, construction or rehabilitation of natural, cultural, historic, archaeological, recreational, or scenic resources.

(2) Corps and Public Lands Corps

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

(3) Eligible service lands

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

(4) Hawaiian home lands

The term ''Hawaiian home lands'' means all lands given the status of Hawaiian home lands under section 204 of the Hawaiian Homes Commission Act, 1920 (42 Stat. 110), or under the corresponding provision of the Constitution of the State of Hawaii adopted under section 4 of the Act entitled ''An Act to provide for the admission of the State of Hawaii into the Union'', approved March 18, 1959 (Public Law 86–3; 73 Stat. 5).

(5) Indian

The term ''Indian'' means a person who—

(A) is a member of an Indian tribe; or

(B) is a ''Native'', as defined in section 3(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(b)).

(6) Indian lands

The term ''Indian lands'' means—

(A) any Indian reservation;

(B) any public domain Indian allotments;

(C) any former Indian reservation in the State of Oklahoma;

(D) any land held by incorporated Native groups, regional corporations, and village corporations under the Alaska Native Claims Settlement Act [43 U.S.C. 1601 et seq.]; and

(E) any land held by dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a State.

(7) Indian tribe

The term ''Indian tribe'' means an Indian tribe, band, nation, or other organized group or community, including any Native village, Regional Corporation, or Village Corporation, as defined in subsection (c), (g), or (j), respectively, of section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(c), (g), or (j)), that is recognized as eligible for the special programs and services provided by the United States under Federal law to Indians because of their status as Indians.

(8) Priority project

The term ''priority project'' means an appropriate conservation project conducted on eligible service lands to further 1 or more of the purposes of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 et seq.), as follows:

(A) To reduce wildfire risk to a community, municipal water supply, or other at-risk Federal land.

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

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

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

(i) promote the recovery of threatened or endangered species;

(ii) improve biological diversity; or

(iii) enhance productivity and carbon sequestration.

(9) Public lands

The term ''public lands'' means any lands or waters (or interest therein) owned or administered by the United States, except that such term does not include any Indian lands.

(10) Qualified youth or conservation corps

The term ''qualified youth or conservation corps'' means any program established by a State or local government, by the governing body of any Indian tribe, or by a nonprofit organization that—

(A) is capable of offering meaningful, full-time, productive work for individuals between the ages of 16 and 25, inclusive, in a natural or cultural resource setting;

(B) gives participants a mix of work experience, basic and life skills, education, training, and support services; and

(C) provides participants with the opportunity to develop citizenship values and skills through service to their community and the United States.

(11) Resource assistant

The term ''resource assistant'' means a resource assistant selected under section 1725 of this title.

(12) Secretary

The term ''Secretary'' means—

(A) with respect to National Forest System land, the Secretary of Agriculture; and

(B) with respect to Indian lands, Hawaiian home lands, or land administered by the Department of the Interior, the Secretary of the Interior.

(13) State

The term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands of the United States, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(Pub. L. 91–378, title II, § 203, as added Pub. L. 103–82, title I, § 105(6), Sept. 21, 1993, 107 Stat. 849; amended Pub. L. 109–154, § 2(a), Dec. 30, 2005, 119 Stat. 2890.)

REFERENCES IN TEXT

The Hawaiian Homes Commission Act, 1920, referred to in par. (4), is act July 9, 1921, ch. 42, 42 Stat. 108, as amended. Section 204 of that Act was classified to section 698 of Title 48, Territories and Insular Possessions, and was omitted from the Code.

Section 4 of Public Law 86–3, referred to in par. (4), is set out as a note preceding section 491 of Title 48.

The Alaska Native Claims Settlement Act, referred to in par. (6)(D), is Pub. L. 92–203, Dec. 18, 1971, 85 Stat. 688, as amended, which is classified generally to chapter 33 (§ 1601 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of Title 43 and Tables.

The Healthy Forests Restoration Act of 2003, referred to in par. (8), is Pub. L. 108–148, Dec. 3, 2003, 117 Stat. 1887, which is classified principally to chapter 84 (§ 6501 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 6501 of this title and Tables.

AMENDMENTS

2005—Pars. (8) to (13). Pub. L. 109–154 added pars. (8) and (12) and redesignated former pars. (8) to (11) as pars. (9) to (11) and (13), respectively.

§ 1723. Public Lands Corps program

(a) Establishment of Public Lands Corps

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

(b) Participants

The Corps shall consist of individuals between the ages of 16 and 25, inclusive, who are enrolled as participants in the Corps by the Secretary. To be eligible for enrollment in the Corps, an individual shall satisfy the criteria specified in section 12591(b) of title 42. The Secretary may enroll such individuals in the Corps without regard to the civil service and classification laws, rules, or regulations of the United States. The Secretary may establish a preference for the enrollment in the Corps of individuals who are economically, physically, or educationally disadvantaged.

(c) Qualified youth or conservation corps

(1) In general

The Secretary is authorized to enter into contracts and cooperative agreements with any qualified youth or conservation corps to perform appropriate conservation projects referred to in subsection (d) of this section.

(2) Preference

(A) In general

For purposes of entering into contracts and cooperative agreements under paragraph (1), the Secretary may give preference to qualified youth or conservation corps located in a specific area that have a substantial portion of members who are economically, physically, or educationally disadvantaged to carry out projects within the area.

(B) Priority projects

In carrying out priority projects in a specific area, the Secretary shall, to the maximum extent practicable, give preference to qualified youth or conservation corps located in that specific area that have a substantial portion of members who are economically, physically, or educationally disadvantaged.

(d) Projects to be carried out

(1) In general

The Secretary may utilize the Corps or any qualified youth or conservation corps to carry out appropriate conservation projects which the Secretary is authorized to carry out under other authority of law on public lands.

(2) Projects on Indian lands

Appropriate conservation projects may also be carried out under this subchapter on Indian lands with the approval of the Indian tribe involved and on Hawaiian home lands with the approval of the Department of Hawaiian Home Lands of the State of Hawaii.

(3) Disaster prevention or relief projects

The Secretary may authorize appropriate conservation projects and other appropriate projects to be carried out on Federal, State, local, or private land as part of a Federal disaster prevention or relief effort.

(e) Preference for certain projects

In selecting appropriate conservation projects to be carried out under this subchapter, the Secretary shall give preference to those projects which—

(1) will provide long-term benefits to the public;

(2) will instill in the enrollee involved a work ethic and a sense of public service;

(3) will be labor intensive;

(4) can be planned and initiated promptly; and

(5) will provide academic, experiential, or environmental education opportunities.

(f) Consistency

Each appropriate conservation project carried out under this subchapter on eligible service lands shall be consistent with the provisions of law and policies relating to the management and administration of such lands, with all other applicable provisions of law, and with all management, operational, and other plans and documents which govern the administration of the area.

(Pub. L. 91–378, title II, § 204, as added Pub. L. 103–82, title I, § 105(6), Sept. 21, 1993, 107 Stat. 850; amended Pub. L. 109–154, § 2(b), (c), (g)(1), Dec. 30, 2005, 119 Stat. 2891, 2893.)

AMENDMENTS

2005—Subsec. (b). Pub. L. 109–154, § 2(g)(1)(A), substituted ''Corps by the Secretary'' for ''Corps by the Secretary of the Interior or the Secretary of Agriculture'' and ''Secretary may'' for ''Secretaries may'' in two places.

Subsec. (c). Pub. L. 109–154, § 2(b), designated existing provisions as par. (1), inserted heading, substituted ''The Secretary is'' for ''The Secretary of the Interior and the Secretary of Agriculture are'', and added par. (2).

Subsec. (d). Pub. L. 109–154, § 2(c), designated first sentence as par. (1), inserted heading, and substituted ''The Secretary may'' for ''The Secretary of the Interior and the Secretary of Agriculture may each'' and ''the Secretary'' for ''such Secretary'', designated second sentence as par. (2) and inserted heading, added par. (3), and struck out former third sentence which read ''The Secretaries may also authorize appropriate conservation projects and other appropriate projects to be carried out on Federal, State, local, or private lands as part of disaster prevention or relief efforts in response to an emergency or major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).''

Subsec. (e). Pub. L. 109–154, § 2(g)(1)(B), substituted ''Secretary'' for ''Secretary of the Interior and the Secretary of Agriculture'' in introductory provisions.

§ 1724. Conservation centers and program support

(a) Establishment and use

(1) In general

The Secretary may establish and use conservation centers owned and operated by the Secretary for—

(A) use by the Public Lands Corps; and

(B) the conduct of appropriate conservation projects under this subchapter.

(2) Assistance for conservation centers

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

(3) Standards for conservation centers

The Secretary shall—

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

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

(4) Management

As the Secretary determines to be appropriate, the Secretary may enter into a contract or other appropriate arrangement with a State or local government agency or private organization to provide for the management of a conservation center.

(b) Logistical support

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

(c) Use of military installations

The Secretary may make arrangements with the Secretary of Defense to identify military installations and other facilities of the Department of Defense and, in consultation with the adjutant generals of the State National Guards, National Guard facilities that may be used, in whole or in part, by the Corps for training or housing Corps participants.

(d) Assistance

The Secretary may provide any services, facilities, equipment, supplies, technical assistance, oversight, monitoring, or evaluations that are appropriate to carry out this subchapter.

(Pub. L. 91–378, title II, § 205, as added Pub. L. 103–82, title I, § 105(6), Sept. 21, 1993, 107 Stat. 851; amended Pub. L. 109–154, § 2(d), (g)(2), Dec. 30, 2005, 119 Stat. 2891, 2893.)

AMENDMENTS

2005—Pub. L. 109–154, § 2(d)(1), inserted ''and program support'' after ''Conservation centers'' in section catchline.

Subsec. (a). Pub. L. 109–154, § 2(d)(2), added subsec. (a) and struck out heading and text of former subsec. (a). Text read as follows: ''The Secretary of the Interior

and the Secretary of Agriculture are each authorized to provide such quarters, board, medical care, transportation, and other services, facilities, supplies, and equipment as such Secretary deems necessary in connection with the Public Lands Corps and appropriate conservation projects carried out under this subchapter and to establish and use conservation centers owned and operated by such Secretary for purposes of the Corps and such projects. The Secretaries shall establish basic standards of health, nutrition, sanitation, and safety for all conservation centers established under this section and shall assure that such standards are enforced. Where necessary or appropriate, the Secretaries may enter into contracts and other appropriate arrangements with State and local government agencies and private organizations for the management of such conservation centers.''

Subsec. (b). Pub. L. 109–154, § 2(g)(2)(A), substituted ''Secretary may'' for ''Secretary of the Interior and the Secretary of Agriculture may''.

Subsec. (c). Pub. L. 109–154, § 2(g)(2)(B), substituted ''Secretary may'' for ''Secretary of the Interior and the Secretary of Agriculture may''.

Subsec. (d). Pub. L. 109–154, § 2(d)(3), added subsec. (d).

§ 1725. Resource assistants

(a) Authorization

The Secretary is authorized to provide individual placements of resource assistants with any Federal land managing agency under the jurisdiction of the Secretary to carry out research or resource protection activities on behalf of the agency. To be eligible for selection as a resource assistant, an individual must be at least 17 years of age. The Secretary may select resource assistants without regard to the civil service and classification laws, rules, or regulations of the United States. The Secretary shall give a preference to the selection of individuals who are enrolled in an institution of higher education or are recent graduates from an institution of higher education, with particular attention given to ensure full representation of women and participants from historically black, Hispanic, and Native American schools.

(b) Use of existing nonprofit organizations

Whenever one or more existing nonprofit organizations can provide, in the judgment of the the[1] Secretary, appropriate recruitment and placement services to fulfill the requirements of this section, the Secretary may implement this section through such existing organizations. Participating nonprofit organizations shall contribute to the expenses of providing and supporting the resource assistants, through private sources of funding, at a level equal to 25 percent of the total costs of each participant in the Resource Assistant program who has been recruited and placed through that organization. Any such participating nonprofit conservation service organization shall be required, by the respective land managing agency, to submit an annual report evaluating the scope, size, and quality of the program, including the value of work contributed by the Resource Assistants, to the mission of the agency.

(Pub. L. 91–378, title II, § 206, as added Pub. L. 103–82, title I, § 105(6), Sept. 21, 1993, 107 Stat. 852; amended Pub. L. 109–154, § 2(g)(3), Dec. 30, 2005, 119 Stat. 2893.)

[1] So in original.

REFERENCES IN TEXT

The civil service laws, referred to in subsec. (a), are set forth in Title 5, Government Organization and Employees. See, particularly, section 3301 et seq. of Title 5.

The classification laws, referred to in subsec. (a), are classified to chapter 51 (§ 5101 et seq.) and subchapter III (§ 5331 et seq.) of chapter 53 of Title 5.

AMENDMENTS

2005—Subsec. (a). Pub. L. 109–154, § 2(g)(3)(A), substituted ''Secretary is'' for ''Secretary of the Interior and the Secretary of Agriculture are each'', ''the Secretary to carry out'' for ''such Secretary to carry out'', ''Secretary may'' for ''Secretaries may'', and ''Secretary shall'' for ''Secretaries shall''.

Subsec. (b). Pub. L. 109–154, § 2(g)(3)(B), substituted ''the Secretary, appropriate'' for ''Secretary of the Interior or the Secretary of Agriculture, appropriate''.

§ 1726. Living allowances and terms of service

(a) Living allowances

The Secretary shall provide each participant in the Public Lands Corps and each resource assistant with a living allowance in an amount established by the Secretary.

(b) Terms of service

Each participant in the Corps and each resource assistant shall agree to participate in the Corps or serve as a resource assistant, as the case may be, for such term of service as may be established by the Secretary enrolling or selecting the individual.

(c) Hiring

The Secretary may—

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

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

(Pub. L. 91–378, title II, § 207, as added Pub. L. 103–82, title I, § 105(6), Sept. 21, 1993, 107 Stat. 852; amended Pub. L. 109–154, § 2(e), Dec. 30, 2005, 119 Stat. 2892.)

AMENDMENTS

2005—Subsec. (a). Pub. L. 109–154, § 2(e)(1), added subsec. (a) and struck out heading and text of former subsec. (a). Text read as follows: ''The Secretary of the Interior and the Secretary of Agriculture shall provide each participant in the Public Lands Corps and each resource assistant with a living allowance in an amount not to exceed the maximum living allowance authorized by section 140(a)(3) of the National and Community Service Act of 1990 for participants in a national service program assisted under subtitle C of title I of such Act.''

Subsec. (c). Pub. L. 109–154, § 2(e)(2), added subsec. (c).

§ 1727. National service educational awards

(a) Educational benefits and awards

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

for a national service educational award in the manner prescribed in subtitle D of such title [42 U.S.C. 12601 et seq.] upon successfully complying with the requirements for the award. The period during which the national service educational award may be used, the purposes for which the award may be used, and the amount of the award shall be determined as provided under such subtitle.

(b) Forbearance in collection of Stafford loans

For purposes of section 1078 of title 20, in the case of borrowers who are either participants in the Corps or resource assistants, upon written request, a lender shall grant a borrower forbearance on such terms as are otherwise consistent with the regulations of the Secretary of Education, during periods in which the borrower is serving as such a participant or a resource assistant.

(Pub. L. 91–378, title II, § 208, as added Pub. L. 103–82, title I, § 105(6), Sept. 21, 1993, 107 Stat. 853.)

REFERENCES IN TEXT

The National and Community Service Act of 1990, referred to in subsec. (a), is Pub. L. 101–610, Nov. 16, 1990, 104 Stat. 3127, as amended. Subtitles C and D of title I of the Act are classified generally to divisions C (§ 12571 et seq.) and D (§ 12601 et seq.), respectively, of subchapter I of chapter 129 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 12501 of Title 42 and Tables.

§ 1728. Nondisplacement

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

(Pub. L. 91–378, title II, § 209, as added Pub. L. 103–82, title I, § 105(6), Sept. 21, 1993, 107 Stat. 853.)

§ 1729. Funding

(a) Cost sharing

(1) Projects by qualified youth or conservation corps

The Secretary is authorized to pay not more than 75 percent of the costs of any appropriate conservation project carried out pursuant to this subchapter on public lands by a qualified youth or conservation corps. The remaining 25 percent of the costs of such a project may be provided from nonfederal sources in the form of funds, services, facilities, materials, equipment, or any combination of the foregoing. No cost sharing shall be required in the case of any appropriate conservation project carried out on Indian lands or Hawaiian home lands under this subchapter.

(2) Public Lands Corps projects

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

(b) Funds available under National and Community Service Act

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

(c) Other funds

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

(Pub. L. 91–378, title II, § 210, as added Pub. L. 103–82, title I, § 105(6), Sept. 21, 1993, 107 Stat. 853; amended Pub. L. 109–154, § 2(f)(1), (g)(4), Dec. 30, 2005, 119 Stat. 2892, 2893.)

AMENDMENTS

2005—Subsec. (a). Pub. L. 109–154, § 2(g)(4)(A), substituted ''Secretary is'' for ''Secretary of the Interior and the Secretary of Agriculture are each'' in pars. (1) and (2).

Subsec. (b). Pub. L. 109–154, § 2(g)(4)(B), substituted ''Secretary'' for ''Secretary of the Interior and the Secretary of Agriculture''.

Subsec. (c). Pub. L. 109–154, § 2(f)(1), added subsec. (c).

§ 1730. Authorization of appropriations

(a) In general

There is authorized to be appropriated to carry out this subchapter $12,000,000 for each fiscal year, of which $8,000,000 is authorized to carry out priority projects and $4,000,000 of which is authorized to carry out other appropriate conservation projects.

(b) Disaster relief or prevention projects

Notwithstanding subsection (a) of this section, any amounts made available under that subsection shall be available for disaster prevention or relief projects.

(c) Availability of funds

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

(Pub. L. 91–378, title II, § 211, as added Pub. L. 109–154, § 2(f)(2), Dec. 30, 2005, 119 Stat. 2892.)

CHAPTER 38—FISHERY CONSERVATION AND MANAGEMENT

SUBCHAPTER I—GENERALLY

Sec.
1801. Findings, purposes and policy.
1802. Definitions.
1803. Authorization of appropriations.

SUBCHAPTER II—UNITED STATES RIGHTS AND AUTHORITY REGARDING FISH AND FISHERY RESOURCES

1811. United States sovereign rights to fish and fishery management authority.