

ters 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.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section 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 by section 1723(a)(1) 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) Institution of higher education

(A) In general

The term "institution of higher education" has the meaning given the term in section 1002 of title 20.

(B) Exclusion

The term "institution of higher education" does not include—

(i) an institution described in section 1001(b) of title 20; or

(ii) an institution outside the United States, as described in section 1002(a)(1)(C) of title 20.

(9) 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.) and other conservation and restoration initiatives, 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.

(E) To protect, restore, or enhance marine, estuarine, riverine, and coastal habitat ecosystem components—

(i) to promote the recovery of threatened species, endangered species, and managed fisheries;

(ii) to restore fisheries, protected resources, and habitats impacted by oil and chemical spills and natural disasters; or

(iii) to enhance the resilience of coastal ecosystems, communities, and economies through habitat conservation.

(10) 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.

(11) 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 30, inclusive, or veterans age 35 or younger 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.

(12) Resource assistant

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

(13) Secretary

The term “Secretary” means—

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

(B) with respect to Indian lands, Hawaiian home lands, or land administered by the De-

partment of the Interior, the Secretary of the Interior; and

(C) with respect to the National Marine Sanctuary System, coral reefs, and other coastal, estuarine, and marine habitats, and other land and facilities administered by the National Oceanic and Atmospheric Administration, the Secretary of Commerce.

(14) 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.

(15) Veteran

The term “veteran” has the meaning given the term in section 101 of title 38.

(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; Pub. L. 114-289, title III, §302(1), Dec. 16, 2016, 130 Stat. 1487; Pub. L. 116-9, title IX, §9003(a), Mar. 12, 2019, 133 Stat. 832.)

Editorial Notes

REFERENCES IN TEXT

The Hawaiian Homes Commission Act, 1920, referred to in par. (4), is act July 9, 1921, ch. 42, 42 Stat. 108. 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, 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. (9), 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

2019—Par. (2). Pub. L. 116-9, §9003(a)(1), substituted “by section 1723(a)(1)” for “under section 1723”.

Par. (8). Pub. L. 116-9, §9003(a)(3), added par. (8). Former par. (8) redesignated (9).

Par. (9). Pub. L. 116-9, §9003(a)(2), (4)(A), redesignated par. (8) as (9) and substituted “and other conservation and restoration initiatives, as follows” for “, as follows” in introductory provisions. Former par. (9) redesignated (10).

Par. (9)(E). Pub. L. 116-9, §9003(a)(4)(B), added subpar. (E).

Par. (10). Pub. L. 116-9, §9003(a)(2), redesignated par. (9) as (10). Former par. (10) redesignated (11).

Par. (11). Pub. L. 116-9, §9003(a)(2), redesignated par. (10) as (11). Former par. (11) redesignated (12).

Par. (11)(A). Pub. L. 116-9, §9003(a)(5), substituted “individuals between the ages of 16 and 30, inclusive, or veterans age 35 or younger” for “individuals between the ages of 16 and 30, inclusive.”

Par. (12). Pub. L. 116-9, §9003(a)(2), redesignated par. (11) as (12). Former par. (12) redesignated (13).

Par. (13). Pub. L. 116-9, §9003(a)(2), redesignated par. (12) as (13). Former par. (13) redesignated (14).

Par. (13)(C). Pub. L. 116-9, §9003(a)(6), added subpar. (C).

Par. (14). Pub. L. 116-9, §9003(a)(2), redesignated par. (13) as (14).

Par. (15). Pub. L. 116-9, §9003(a)(7), added par. (15). 2016—Par. (10)(A). Pub. L. 114-289 substituted “30” for “25”.

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 (13), respectively.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section 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.

§ 1723. Public Lands Corps program

(a) Establishment of Public Lands Corps

(1) In general

There is established in the Department of the Interior, the Department of Agriculture, and the Department of Commerce a corps, to be known as the “Public Lands Corps”.

(2) No effect on other agencies

Nothing in this subsection precludes the establishment of a public lands corps by the head of a Federal department or agency other than a department described in paragraph (1), in accordance with this subchapter.

(b) Participants

The Corps shall consist of individuals between the ages of 16 and 30, inclusive, and veterans age 35 or younger 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 paragraphs (1), (2), (4), and (5) of section 12591(a) 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).

(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 sub-

stantial 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.

(g) Effect

Nothing in this section authorizes the use of the Public Lands Corps for projects on or impacting real property owned by, operated by, or within the custody, control, or administrative jurisdiction of the Administrator of General Services without the express permission of the Administrator of General Services.

(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; Pub. L. 114-289, title III, §302(2), Dec. 16, 2016, 130 Stat. 1487; Pub. L. 116-9, title IX, §9003(b), Mar. 12, 2019, 133 Stat. 833.)

Editorial Notes

REFERENCES IN TEXT

This subchapter, referred to in subsec. (a)(2), was in the original “this Act”, and was translated as reading