

PUBLIC LANDS CORPS HEALTHY FORESTS RESTORATION
ACT OF 2005

NOVEMBER 7, 2005.—Ordered to be printed

Mr. POMBO, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 2875]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 2875) to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Public Lands Corps Healthy Forests Restoration Act of 2005”.

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

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

(1) by redesignating paragraphs (8), (9), (10), and (11) as paragraphs (9), (10), (11), and (13), respectively;

(2) by inserting after paragraph (7) the following:

“(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.”; and
- (3) by inserting after paragraph (11) (as redesignated by paragraph (1)) the following:
- “(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.”.
- (b) QUALIFIED YOUTH OR CONSERVATION CORPS.—Section 204(c) of the Public Lands Corps Act of 1993 (16 U.S.C. 1723(c)) is amended—
- (1) by striking “The Secretary of the Interior and the Secretary of Agriculture are” and inserting the following:
- “(1) IN GENERAL.—The Secretary is”; and
- (2) by adding at the end the following:
- “(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.”.
- (c) CONSERVATION PROJECTS.—Section 204(d) of the Public Lands Corps Act of 1993 (16 U.S.C. 1723(d)) is amended—
- (1) in the first sentence—
- (A) by striking “The Secretary of the Interior and the Secretary of Agriculture may each” and inserting the following:
- “(1) IN GENERAL.—The Secretary may”; and
- (B) by striking “such Secretary” and inserting “the Secretary”; and
- (2) in the second sentence, by striking “Appropriate conservation” and inserting the following:
- “(2) PROJECTS ON INDIAN LANDS.—Appropriate conservation”; and
- (3) by striking the third sentence and inserting the following:
- “(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.”.
- (d) CONSERVATION CENTERS AND PROGRAM SUPPORT.—Section 205 of the Public Lands Corps Act of 1993 (16 U.S.C. 1724) is amended—
- (1) by striking the heading and inserting the following:
- “SEC. 205. CONSERVATION CENTERS AND PROGRAM SUPPORT.”;**
- (2) by striking subsection (a) and inserting the following:
- “(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 title.
- “(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.”; and
- (3) by adding at the end the following:
- “(d) ASSISTANCE.—The Secretary may provide any services, facilities, equipment, supplies, technical assistance, oversight, monitoring, or evaluations that are appropriate to carry out this title.”.**

(e) LIVING ALLOWANCES AND TERMS OF SERVICE.—Section 207 of the Public Lands Corps Act of 1993 (16 U.S.C. 1726) is amended—

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

“(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.”; and

(2) by adding at the end the following:

“(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.”.

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

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

“(c) OTHER FUNDS.—Amounts appropriated pursuant to the authorization of appropriations under section 211 are in addition to amounts allocated to the Public Lands Corps through other Federal programs or projects.”; and

(2) by inserting after section 210 the following:

“SEC. 211. AUTHORIZATION OF APPROPRIATIONS.

“(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this title \$15,000,000 for each of the fiscal years 2007 through 2011. Of the amounts appropriated for any fiscal year to carry out this title, not less than two-thirds shall be used to conduct priority projects.

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

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

(1) in section 204 (16 U.S.C. 1723)—

(A) in subsection (b)—

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

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

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

(B) in subsection (e), by striking “Secretary of the Interior and the Secretary of Agriculture” and inserting “Secretary”;

(2) in section 205 (16 U.S.C. 1724)—

(A) in subsection (b), by striking “Secretary of the Interior and the Secretary of Agriculture” and inserting “Secretary”; and

(B) in subsection (c), by striking “Secretary of the Interior and the Secretary of Agriculture” and inserting “Secretary”;

(3) in section 206 (16 U.S.C. 1725)—

(A) in subsection (a)—

(i) in the first sentence—

(I) by striking “Secretary of the Interior and the Secretary of Agriculture are each” and inserting “Secretary is”; and

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

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

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

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

(4) in section 210 (16 U.S.C. 1729)—

(A) in subsection (a)—

(i) in paragraph (1), by striking “Secretary of the Interior and the Secretary of Agriculture are each” and inserting “Secretary is”; and

(ii) in paragraph (2), by striking “Secretary of the Interior and the Secretary of Agriculture are each” and inserting “Secretary is”; and

(B) in subsection (b), by striking “Secretary of the Interior and the Secretary of Agriculture” and inserting “Secretary”.

PURPOSE OF THE BILL

The purpose of H.R. 2875 is to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 2875 allows the Secretary of the Interior and the Secretary of Agriculture to enter into contracts or cooperative agreements with existing State, local, and non-profit youth conservation corps to carry out land management initiatives relating to forestry conservation and fire prevention projects consistent with the Healthy Forests Restoration Act (HFRA, Public Law 108-148). Under the legislation, restoration projects consistent with the HFRA or projects furthering one or more of the purposes under the HFRA would be considered "priority projects."

The bill also updates the Public Lands Corps Act by allowing the Secretaries to give preference to disadvantaged youth or conservation corps for general projects and directs the Secretaries to give preference to such youth (to the maximum extent practicable) for priority projects. This does not prohibit other youth from participating in such programs.

H.R. 2875 also expands Public Lands Corps projects to disaster prevention and relief programs and allows the Secretaries to make existing conservation centers and services available for Public Lands Corps use.

Each participant in the Public Lands Corps would be provided with a living allowance, and the Secretaries may give members credits for time served (to be used towards future federal hiring). The Secretaries may also provide a noncompetitive hiring status for 120 days after a member's service is complete.

Additionally, the bill, as amended during the Committee markup, authorizes appropriations of \$15 million for each of fiscal years 2007 through 2011. Of this, \$10 million is authorized for priority projects.

COMMITTEE ACTION

H.R. 2875 was introduced on June 14, 2005, by Congressman Greg Walden (R-OR). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Forests and Forest Health. The bill was also referred to the Committee on Agriculture and the Committee on Education and the Workforce. On July 14, 2005, the Subcommittee held a hearing on the bill. On September 22, 2005, the Full Resources Committee met to consider the bill. The Subcommittee was discharged from further consideration of the bill by unanimous consent. Congressman Walden offered an amendment sunseting the authorization of appropriations. It was adopted by unanimous consent and the bill as amended was then ordered favorably reported to the House of Representatives by unanimous consent.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Re-

sources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. **Cost of Legislation.** Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. **Congressional Budget Act.** As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. **General Performance Goals and Objectives.** As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, and for other purposes.

4. **Congressional Budget Office Cost Estimate.** Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

H.R. 2875—Public Lands Corps Healthy Forests Restoration Act of 2005

Summary: H.R. 2875 would authorize the appropriation of \$75 million for fiscal year 2007 through 2011 for implementing restoration, conservation, and fire-prevention projects in national parks. Under the bill, the Public Lands Corps would administer the projects, and youth conservation organizations would carry out the projects. Assuming appropriation of the specified amounts, CBO estimates that implementing the bill would cost \$5 million in 2007 and \$45 million over the 2006–2010 period. Enacting the bill would not affect direct spending or revenues.

H.R. 2875 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 2875 is shown in the following table. The cost of this legislation fall within budget function 300 (natural resources and environment). CBO assumes that the bill will be enacted in fiscal year 2006, that the specified amounts will be appropriated for each fiscal year, and that outlays will follow historical trends. CBO estimates that implementing the bill would cost \$5 million in 2007 and by \$45 million over the 2006–2010 period for administering

restoration, conservation, and fire-prevention projects in natural parks. Spending of the additional \$30 million authorized by the bill would occur after 2010.

	By fiscal year, in millions of dollars—				
	2006	2007	2008	2009	2010
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Authorization Level ¹	0	15	15	15	15
Estimated Outlays	0	5	10	15	15

¹ The bill would also authorize the appropriation of an additional \$15 million for 2011.

Intergovernmental and private-sector impact: H.R. 2875 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

Previous CBO estimate: On October 18, 2005, CBO transmitted a cost estimate for S. 1238, the Public Lands Corps Healthy Forests Restoration Act of 2005, as ordered reported by the Senate Committee on Energy and Natural Resources on September 28, 2005. The two pieces of legislation are almost identical. However, S. 1238 would specify a permanent authorization of appropriation, while H.R. 2875 would specify the authorization of appropriation for 2007 through 2011. The cost estimates reflect that difference.

Estimate prepared by: Federal Costs: Megan Carroll and Melissa Z. Petersen. Impact on State, Local, and Tribal Governments: Marjory Miller. Impact on the Private Sector: Craig Cammarata.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

PUBLIC LANDS CORPS ACT OF 1993

TITLE II—PUBLIC LANDS CORPS

SEC. 201. SHORT TITLE.

This title may be cited as the “Public Lands Corps Act of 1993”.

* * * * *

SEC. 203. DEFINITIONS.

For purposes of this title:

(1) * * *

* * * * *

(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.

[(8)] (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.

[(9)] (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.

[(10)] (11) *RESOURCE ASSISTANT.*—The term “resource assistant” means a resource assistant selected under section 206.

(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.

[(11)] (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.

SEC. 204. PUBLIC LANDS CORPS PROGRAM.

(a) * * *

(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 of the Interior or the Sec-

retary of Agriculture] *Secretary*. To be eligible for enrollment in the Corps, an individual shall satisfy the criteria specified in section 137(b) of the National and Community Service Act of 1990. The [Secretaries] *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 [Secretaries] *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.—[The Secretary of the Interior and the Secretary of Agriculture are]

(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 substantial portion of members who are economically, physically, or educationally disadvantaged.*

(d) PROJECTS TO BE CARRIED OUT.—[The Secretary of the Interior and the Secretary of Agriculture may each]

(1) *IN GENERAL.*—*The Secretary may utilize the Corps or any qualified youth or conservation corps to carry out appropriate conservation projects which [such Secretary] the Secretary is authorized to carry out under other authority of law on public lands. [Appropriate conservation]*

(2) *PROJECTS ON INDIAN LANDS.*—*Appropriate conservation projects may also be carried out under this title 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. [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.).]*

(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 title, the

【Secretary of the Interior and the Secretary of Agriculture】 *Secretary* shall give preference to those projects which—

(1) * * *

* * * * *

【SEC. 205. CONSERVATION CENTERS.

【(a) ESTABLISHMENT AND USE.—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 title 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.】

SEC. 205. 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 title.

(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 of the Interior and the Secretary of Agriculture】 *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 of the Interior and the Secretary of Agriculture】 *Secretary* may make arrangements with the Secretary of Defense to identify military in-

stallations 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 title.*

SEC. 206. RESOURCE ASSISTANTS.

(a) *AUTHORIZATION.*—The [Secretary of the Interior and the Secretary of Agriculture are each] *Secretary is* authorized to provide individual placements of resource assistants with any Federal land managing agency under the jurisdiction of [such Secretary] *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 [Secretaries] *Secretary* may select resource assistants without regard to the civil service and classification laws, rules, or regulations of the United States. The [Secretaries] *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 [Secretary of the Interior or the Secretary of Agriculture] *the 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.

SEC. 207. LIVING ALLOWANCES AND TERMS OF SERVICE.

[(a) *LIVING ALLOWANCES.*—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.]

(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.*

* * * * *

(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.*

* * * * *

SEC. 210. FUNDING.

(a) COST SHARING.—

(1) **PROJECTS BY QUALIFIED YOUTH OR CONSERVATION CORPS.**—The [Secretary of the Interior and the Secretary of Agriculture are each] *Secretary is* authorized to pay not more than 75 percent of the costs of any appropriate conservation project carried out pursuant to this title 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 non-federal 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 title.

(2) **PUBLIC LANDS CORPS PROJECTS.**—The [Secretary of the Interior and the Secretary of Agriculture are each] *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 title 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 title, the [Secretary of the Interior and the Secretary of Agriculture] *Secretary* shall be eligible to apply for and receive assistance under section 121(b) of the National and Community Service Act of 1990.

(c) **OTHER FUNDS.**—*Amounts appropriated pursuant to the authorization of appropriations under section 211 are in addition to amounts allocated to the Public Lands Corps through other Federal programs or projects.*

SEC. 211. AUTHORIZATION OF APPROPRIATIONS.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—*There is authorized to be appropriated to carry out this title \$15,000,000 for each of the fiscal years 2007 through 2011. Of the amounts appropriated for any fiscal year to carry out this title, not less than two-thirds shall be used to conduct priority projects.*

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

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1 November 2005

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 1301 Longworth HOB
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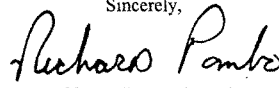
Dear Mr. Chairman:

I ask your cooperation to help schedule an early consideration by the House of Representatives of H.R. 2875, the Public Land Corps Healthy Forests Restoration Act of 2005. This bill amends the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests. The bill was referred primarily to the Committee on Resources and additionally to your committee and the Committee on Education and the Workforce. The Committee on Resources ordered the bill favorably reported to the House of Representatives with an amendment on September 22, 2005, and a copy of the reported text and a draft bill report has been provided to your staff.

Given the limited days remaining in the first session of the 109th Congress, I would like to have the bill scheduled for Floor consideration before Congress adjourns for its Thanksgiving recess. To accomplish this, I ask that you allow the Committee on Agriculture to be discharged from further consideration of H.R. 2875. This action would not be considered as precedent for any future referrals of similar measures or as compromising your jurisdiction over the bill. Moreover, if the bill is conferenced with the Senate, I would support naming Agriculture Committee members to the conference committee. Finally, I would agree to include this letter and your response in the bill report on H.R. 2875 to memorialize this understanding.

Thank you for your consideration of my request. I look forward to working with you on other matters of shared jurisdiction between our committees.

Sincerely,

A handwritten signature in black ink, reading "Richard Pombo". The signature is written in a cursive, flowing style.

RICHARD W. POMBO
Chairman

cc: The Honorable Roy Blunt
The Honorable John V. Sullivan

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U.S. House of Representatives
Committee on Agriculture
Room 1301, Longworth House Office Building
Washington, DC 20515-6001

(202) 226-2171
(202) 226-0917 FAX

November 2, 2005

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The Honorable Richard Pombo
Chairman
House Committee on Resources
1324 Longworth House Office Building
Washington, D.C. 20515


Dear Mr. Chairman:

Thank you for forwarding a draft copy of H.R. 2875, the "Public Lands Corps Healthy Forests Restoration Act of 2005," as ordered reported by the Committee on Resources on September 22, 2005. As you know, the Committee on Agriculture received an additional referral.

Because of the need to expedite this legislation and the history of cooperation between our Committees on these matters, I will agree to discharge H.R. 2875 from further consideration by the Committee on Agriculture. The Committee on Agriculture will discharge the bill with the understanding that discharge does not waive any future jurisdictional claim over these or similar measures. Moreover, in the event a conference with the Senate is requested on this matter, the Committee on Agriculture reserves the right to seek appointment of conferees.

Again, I am grateful for the cooperative spirit in which you have worked regarding this matter and others.

Sincerely,


Bob Goodlatte
Chairman

cc: The Honorable Dennis J. Hastert, Speaker
The Honorable Collin C. Peterson
John Sullivan, Parliamentarian

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Democratic Staff Director

2 November 2005

The Honorable John A. Boehner
 Chairman
 Committee on Education and the Workforce
 U.S. House of Representatives
 2181 Rayburn HOB
 Washington, D.C. 20515

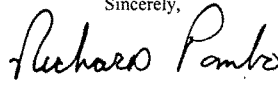
Dear Mr. Chairman:

I ask your cooperation to help schedule an early consideration by the House of Representatives of H.R. 2875, the Public Land Corps Healthy Forests Restoration Act of 2005. This bill amends the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests. The bill was referred primarily to the Committee on Resources and additionally to your committee and the Committee on Agriculture. The Committee on Resources ordered the bill favorably reported to the House of Representatives with an amendment on September 22, 2005, and a copy of the reported text and a draft bill report has been provided to your staff.

Given the limited days remaining in the first session of the 109th Congress, I would like to have the bill scheduled for Floor consideration before Congress adjourns for its Thanksgiving recess. To accomplish this, I ask that you allow the Committee on Education and the Workforce to be discharged from further consideration of H.R. 2875. This action would not be considered as precedent for any future referrals of similar measures or as compromising your jurisdiction over the bill. Moreover, if the bill is conferenced with the Senate, I would support naming Education and the Workforce Committee members to the conference committee. Finally, I would agree to include this letter and your response in the bill report on H.R. 2875 to memorialize this understanding.

Thank you for your consideration of my request. I look forward to working with you on other matters of shared jurisdiction between our committees.

Sincerely,

A handwritten signature in black ink, reading "Richard W. Pombo". The signature is written in a cursive, flowing style with a large initial "R".

RICHARD W. POMBO
Chairman

cc: The Honorable Roy Blunt
The Honorable John V. Sullivan

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COMMITTEE ON EDUCATION
 AND THE WORKFORCE
 U.S. HOUSE OF REPRESENTATIVES
 2181 RAYBURN HOUSE OFFICE BUILDING
 WASHINGTON, DC 20515-6100

November 7, 2005

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The Honorable Richard W. Pombo
 Chairman, Committee on Resources
 1324 Longworth HOB
 Washington, D.C. 20515
 Attn: Lisa Pittman

Dear Chairman Pombo:

I am writing to confirm our mutual understanding with respect to consideration of H.R. 2875, the *Public Lands Corps Healthy Forests Restoration Act of 2005*, which was referred to the Committee on Resources, and in addition to the Committees on Agriculture, and Education and the Workforce. The bill was ordered favorably reported by your Committee September 22, 2005. I understand the desire to have this legislation considered expeditiously by the House; hence, I do not intend to hold a hearing or markup on this legislation.

However, I do so only with the understanding that this procedural route should not be construed to prejudice the Committee on Education and the Workforce's jurisdictional interest and prerogatives on these provisions or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future. Furthermore, should this provision or similar provisions be included by any Senate amendments thereto and considered in a conference with the Senate, I would expect Members of the Committee on Education and the Workforce be appointed as conferees on those provisions.

Finally, I would ask that you include a copy of our exchange of letters on this matter in the Committee report to accompany this bill. If you have questions regarding this matter, please do not hesitate to call me. I thank you for your consideration.

Sincerely,

JOHN A. BOEHNER
 Chairman

JAB/jms

cc: The Honorable J. Dennis Hastert
 The Honorable George Miller
 Mr. John Sullivan, Parliamentarian