

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 the¹ 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;

¹ So in original.

amended Pub. L. 109-154, §2(g)(3), Dec. 30, 2005, 119 Stat. 2893.)

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”.

§ 1725a. Direct hire authority

(1) During fiscal year 2012 and thereafter, the Secretary of the Interior may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, other than sections 3303 and 3328 of such title, a qualified candidate described in paragraph (1)¹ directly to a position with a land managing agency of the Department of the Interior for which the candidate meets Office of Personnel Management qualification standards.

(2) Paragraph (1) applies with respect to a former resource assistant (as defined in section 1722 of this title) who—

(A) completed a rigorous undergraduate or graduate summer internship with a land managing agency, such as the National Park Service Business Plan Internship;

(B) successfully fulfilled the requirements of the internship program; and

(C) subsequently earned an undergraduate or graduate degree from an accredited institution of higher education.

(3) The direct hire authority under this section may not be exercised with respect to a specific qualified candidate after the end of the two-year period beginning on the date on which the candidate completed the undergraduate or graduate degree, as the case may be.

(Pub. L. 112-74, div. E, title I, §121(a), Dec. 23, 2011, 125 Stat. 1012.)

CODIFICATION

Section was enacted as part of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012, and also as part of the Consolidated Appropriations Act, 2012, and not as part of the Public Lands Corps Act of 1993 which comprises this subchapter.

§ 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 So in original. Probably should be “paragraph (2)”.