

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 Repealed.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<sup>1</sup> 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;

<sup>1</sup> 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)<sup>1</sup> 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) 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 shall 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 activi-

<sup>1</sup> So in original. Probably should be “paragraph (2)”.

ties 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 fis-

cal 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.
- 1812. Highly migratory species.
- 1813. Omitted.

SUBCHAPTER III—FOREIGN FISHING AND INTERNATIONAL FISHERY AGREEMENTS

- 1821. Foreign fishing.
- 1822. International fishery agreements.
- 1823. Congressional oversight of international fishery agreements.
- 1824. Permits for foreign fishing.
- 1825. Import prohibitions.
- 1826. Large-scale driftnet fishing.
- 1826a. Denial of port privileges and sanctions for high seas large-scale driftnet fishing.
- 1826b. Duration of denial of port privileges and sanctions.
- 1826c. Definitions.
- 1826d. Prohibition.
- 1826e. Negotiations.
- 1826f. Certification.
- 1826g. Enforcement.
- 1826h. Biennial report on international compliance.
- 1826i. Action to strengthen international fishery management organizations.
- 1826j. Illegal, unreported, or unregulated fishing.
- 1826k. Equivalent conservation measures.
- 1827. Observer program regarding certain foreign fishing.
- 1827a. Prohibition on sale of billfish.
- 1828. Foreign fishing incursions.
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SUBCHAPTER IV—NATIONAL FISHERY MANAGEMENT PROGRAM

- 1851. National standards for fishery conservation and management.
- 1852. Regional Fishery Management Councils.
- 1853. Contents of fishery management plans.
- 1853a. Limited access privilege programs.
- 1854. Action by Secretary.
- 1855. Other requirements and authority.
- 1856. State jurisdiction.