

117TH CONGRESS  
1ST SESSION

# H. R. 5229

To authorize the President to establish the Civilian Conservation and Climate Corps as a means of providing gainful employment to unemployed and underemployed youth through the performance of useful public work, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 10, 2021

Ms. KAPTUR (for herself, Ms. NORTON, Ms. MOORE of Wisconsin, Ms. SCHA-KOWSKY, and Ms. HOULAHAN) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To authorize the President to establish the Civilian Conservation and Climate Corps as a means of providing gainful employment to unemployed and underemployed youth through the performance of useful public work, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “21st Century Civilian  
5 Conservation and Climate Corps Act”.

1 **SEC. 2. ESTABLISHMENT AND OPERATION OF CIVILIAN**  
2 **CONSERVATION AND CLIMATE CORPS.**

3 (a) ESTABLISHMENT AND PURPOSE.—In order to re-  
4 lieve the acute problem of youth unemployment in the  
5 United States, and to provide for the restoration of de-  
6 pleted natural resources and the achievement of a sustain-  
7 able natural environment, the President may establish and  
8 operate a Civilian Conservation and Climate Corps to em-  
9 ploy otherwise unemployed or underemployed youth aged  
10 16 through 25, in carrying out works of a public nature  
11 in connection with conservation projects to meet the chal-  
12 lenges of climate change, to be undertaken in consultation  
13 with relevant government agencies and private not-for-  
14 profit conservation organizations at the Federal, State,  
15 local, and Tribal level throughout the United States and  
16 its territories. The President may build on existing and  
17 new partnerships with Program Partners, such as the ex-  
18 isting network of conservation corps organizations working  
19 across the United States. These projects may include,  
20 without limitation—

21 (1) the development of environmental education  
22 and recreation programs for children;

23 (2) the forestation of lands belonging to the  
24 United States or a State;

25 (3) the weatherization and installation of en-  
26 ergy saving improvements in the homes and neigh-

1       borhoods of low- and moderate-income families, in-  
2       cluding solar panels;

3           (4) the prevention of forest fires, floods, and  
4       soil erosion;

5           (5) the maintenance and improvement of exist-  
6       ing public parks, tree planting, and the construction  
7       and maintenance of new public parks in cooperation  
8       with municipalities;

9           (6) plant pest and disease control using sustain-  
10      able, nonenvironmentally harmful practices;

11          (7) the establishment, maintenance, and/or im-  
12      provement of community gardens and urban farms  
13      along with public markets for the sale of local agri-  
14      cultural products and distribution networks to en-  
15      hance the quality and quantity of fresh, local food  
16      available to low income families;

17          (8) the construction, maintenance, repair, and  
18      supervision of paths, trails, and fire-lanes in units of  
19      the National Park System, public lands, and other  
20      lands under the jurisdiction of the Secretary of the  
21      Interior and units of the National Forest System;

22          (9) subcontracted work on labor-intensive com-  
23      ponents of capital-intensive environmental projects;  
24      and

1           (10) such other work as is consistent with the  
2           environmental goals and employment purposes of  
3           this Act.

4           (b) ROLE OF FEDERAL AGENCIES.—To operate the  
5           Civilian Conservation and Climate Corps, the President  
6           may utilize existing Federal departments and agencies, in-  
7           cluding the Department of Labor, the Department of De-  
8           fense, the National Guard Bureau, the Department of the  
9           Interior, the Department of Agriculture, the Army Corps  
10          of Engineers, the Department of Transportation, the De-  
11          partment of Energy, the Environmental Protection Agen-  
12          cy, the Department of Housing and Urban Development,  
13          the Department of Commerce, the Corporation for Na-  
14          tional and Community Service, and other and Federal gov-  
15          ernmental corporations.

16          (c) ROLE OF STATE AND LOCAL GOVERNMENT.—  
17          Projects carried out on State and local public property  
18          shall be undertaken in consultation with and subject to  
19          the sponsorship of appropriate State and local government  
20          agencies.

21          (d) ROLE OF QUALIFIED YOUTH SERVICE AND CON-  
22          SERVATION CORPS.—To expedite the Civilian Conserva-  
23          tion and Climate Corps' immediate impact, the President  
24          shall extensively utilize qualified youth service and con-  
25          servation corps as defined in section 6(5)(d).

1 (e) INCLUSION OF OTHER LANDS.—The President  
2 may extend the activities of the Civilian Conservation and  
3 Climate Corps to lands owned by a political subdivision  
4 of a State and lands in private ownership, but only for  
5 the purpose of conducting such kinds of cooperation work  
6 as are otherwise authorized by law and consistent with the  
7 program’s purposes.

8 (f) CONTRACT AUTHORITY.—For the purpose of car-  
9 rying out this Act, the President may enter into such con-  
10 tracts or agreements with public and private entities as  
11 may be necessary, including provisions for utilization of  
12 existing State and local administrative agencies.

13 (g) ACQUISITION OF REAL PROPERTY.—The Presi-  
14 dent, or the head of any department or agency authorized  
15 by the President to construct any project or to carry on  
16 any public works under this Act, may acquire real prop-  
17 erty for such project or public work by purchase, donation,  
18 condemnation, or otherwise.

19 (h) EDUCATION AND TRAINING.—The Program shall  
20 include a prominently featured educational and training  
21 component providing concerted support for participants to  
22 obtain a high school diploma if they lack one and to receive  
23 specialized training to the extent necessary to permit them  
24 to perform their jobs in a professionally competent man-  
25 ner.

1 (i) PROJECT SELECTION.—The Administrator of the  
2 Program shall establish and administer a project selection  
3 process that is merit based, consistent with the purposes  
4 of this Act, free of political influence, and ensures that  
5 projects are fairly distributed among the States and Fed-  
6 eral lands.

7 (j) INSPECTOR GENERAL.—The President shall es-  
8 tablish an Office of the Inspector General of the Civilian  
9 Conservation and Climate Corps pursuant to the provi-  
10 sions of the Inspector General Act of 1978 (5 U.S.C.  
11 App.).

12 **SEC. 3. ADMINISTRATION OF CIVILIAN CONSERVATION AND**  
13 **CLIMATE CORPS.**

14 (a) EMPLOYMENT PREFERENCE.—If the President  
15 determines that amounts appropriated to the Civilian Con-  
16 servation and Climate Corps under this Act for a fiscal  
17 year will be insufficient to employ all of the individuals  
18 described in section 2(a) who are seeking or likely to seek  
19 employment in the Program and continue the employment  
20 of current employees who desire to remain in the Program,  
21 the following order of preference shall be observed in addi-  
22 tional Program hiring:

23 (1) Unemployed veterans of the Armed Forces  
24 and unemployed members of the reserve components

1 and National Guard components of the Armed  
2 Forces.

3 (2) Unemployed individuals who have exhausted  
4 their entitlement to unemployment compensation.

5 (3) Unemployed citizens, who immediately be-  
6 fore employment in the Program, are eligible for un-  
7 employment compensation payable under any State  
8 law or Federal unemployment compensation law, in-  
9 cluding any additional compensation or extended  
10 compensation under such laws.

11 (4) Members of Disadvantaged Population  
12 Groups.

13 (5) Other unemployed individuals, including in-  
14 dividuals who give up a job in order to enroll in the  
15 Program.

16 (b) HOUSING AND CARE OF EMPLOYEES.—The Pro-  
17 gram may administer both residential and non-residential  
18 work projects or mixtures of the two, depending on the  
19 location of the work projects and the characteristics of the  
20 Program participants employed on the projects. Where  
21 housing is provided, it shall include room, board, and ap-  
22 propriate supervision.

23 (c) TRANSPORTATION.—The President may provide  
24 for the transportation of persons employed in the Civilian

1 Conservation and Climate Corps to and from their places  
2 of employment.

3 (d) NON-DISCRIMINATION.—The Program shall com-  
4 ply with all Federal, State, and local employment discrimi-  
5 nation and employment protection laws.

6 (e) WAGES.—Program participants shall be paid  
7 wages comparable to those paid public sector employees  
8 who do the same or comparable work, less a discounted  
9 charge for room, board, and clothing to the extent they  
10 are provided by the Program. All Program earnings shall  
11 be subject to Federal, State, and local payroll and income  
12 taxes, except for those that support benefits of a similar  
13 nature to those provided program participants by the Pro-  
14 gram.

15 (f) BENEFITS.—Program participants shall be pro-  
16 vided health care, paid sick leave, and disability benefits  
17 free of charge while enrolled in the program, and upon  
18 successful completion of 18 months or more of employ-  
19 ment in the program, shall be entitled to educational as-  
20 sistance—

21 (1) furnished by the Administrator; and

22 (2) equivalent to educational assistance to  
23 which an individual described in section 3311(b) of  
24 title 38, United States Code, is entitled under chap-  
25 ter 33 of such title.



1 (g) PROTECTION FROM LAYOFFS.—No individual  
2 whose employment is funded under this Act may be em-  
3 ployed in a position if—

4 (1) employing such individual will result in the  
5 layoff or partial displacement (such as a reduction  
6 in hours, wages, or employee benefits) of an existing  
7 employee of the employer; or

8 (2) such individual will perform the same or  
9 substantially similar work that had previously been  
10 performed by an employee of the employer who has  
11 been laid off within the preceding 12 months unless  
12 the employee has declined an offer of reinstatement  
13 to the position the employee occupied immediately  
14 prior to being laid off or partially displaced.

15 (h) PROTECTION OF PROMOTIONS.—No individual  
16 may be hired for a position funded under this Act in a  
17 manner that infringes upon the promotional opportunities  
18 of an existing employee of the Program employer.

19 (i) PROTECTION OF COLLECTIVE BARGAINING MEM-  
20 BERS.—No individual whose employment is funded under  
21 this Act may perform work that otherwise would be per-  
22 formed by the members of a collective bargaining unit un-  
23 less—

24 (1) the consent of the union is obtained; and

1           (2) negotiations have taken place with such  
2           union as to the terms and conditions of such em-  
3           ployment.

4           (j) PROGRAM ENROLLMENT.—Enrollment goals for  
5           the program shall be as follows:

6           (1) 250,000 individual enrollees by the end of  
7           the Program’s first 12 months of operation.

8           (2) 500,000 individual enrollees by the end of  
9           the Program’s first 24 months of operation.

10          (3) 750,000 individual enrollees by the end of  
11          the Program’s first 36 months of operation.

12       All unemployed individuals aged 16 through 25 who seek  
13       employment in the program and have legal authorization  
14       to work in the United States by the end of the Program’s  
15       first 48 months of operation.

16       **SEC. 4. PROGRAM EVALUATION.**

17          (a) REPORT TO CONGRESS.—The Administrator of  
18       the Program shall submit a report to the House Appro-  
19       priations Committee, Committee on Education and Labor,  
20       and the Senate Appropriations Committee, and Committee  
21       on Health, Education, Labor, and Pensions on the Pro-  
22       gram’s implementation and effects no later than 6 months  
23       after it is established and every 6 months thereafter.

24          (b) FORMAL PROGRAM EVALUATIONS.—During the  
25       Program’s second and fifth years of operations, a thor-

1 ough evaluation of its performance shall be undertaken by  
2 an independent non-governmental organization with ex-  
3 pertise concerning the evaluation of direct job creation  
4 programs.

5 **SEC. 5. APPROPRIATIONS.**

6 (a) APPROPRIATIONS FOR THE ESTABLISHMENT AND  
7 OPERATION OF THE PROGRAM.—There are appropriated  
8 from the general fund of the Treasury, without fiscal year  
9 limitation, such funds as are necessary to carry out the  
10 purposes of this Act through the end of the fifth complete  
11 fiscal year following its enactment.

12 (b) USE OF UNOBLIGATED FUNDS APPROPRIATED  
13 FOR PUBLIC WORKS.—

14 (1) USE OF EXISTING FUNDS.—The President  
15 may use any moneys previously appropriated for  
16 public works and unobligated as of the date of the  
17 enactment of this Act to establish and operate a Ci-  
18 vilian Conservation and Climate Corps under this  
19 Act.

20 (2) USE TO RELIEVE UNEMPLOYMENT.—Not  
21 less than 50 percent of the funds utilized pursuant  
22 to paragraph (1) must be used to provide for the  
23 employment of individuals under this Act.

24 (3) EXCEPTIONS.—Paragraph (1) does not  
25 apply to—

1 (A) unobligated moneys appropriated for  
2 public works on which actual construction has  
3 been commenced as of the date of the enact-  
4 ment of this Act or may be commenced within  
5 90 days after that date; and

6 (B) maintenance funds for river and har-  
7 bor improvements already allocated as of the  
8 date of the enactment of this Act.

9 (c) DURATION OF AVAILABILITY.—Amounts appro-  
10 priated pursuant to the authorization of appropriations in  
11 subsection (a) or made available under subsection (b) shall  
12 remain available until expended.

13 **SEC. 6. DEFINITIONS.**

14 In this Act:

15 (1) ADMINISTRATOR OF THE PROGRAM.—The  
16 term “Administrator of the Program” means the in-  
17 dividual designated by the President or the Presi-  
18 dent’s designee to administer the Program estab-  
19 lished by this Act.

20 (2) DISADVANTAGED POPULATION GROUP.—  
21 The term “Disadvantaged Population Group” shall  
22 include groups determined by the Administrator of  
23 the Program, following consultation with relevant  
24 government and non-government experts, to have  
25 suffered economic or social disadvantages that im-

1 pair their ability to find decent work compared to  
2 groups whose members have not suffered similar dis-  
3 advantages.

4 (3) INDIAN TRIBE.—The term “Indian Tribe”  
5 has the meaning given such term in section 102(17)  
6 of the Housing and Community Development Act  
7 (42 U.S.C. 5302(17)).

8 (4) PROGRAM.—The term “Program” means  
9 the program established under this Act.

10 (5) PROGRAM PARTNER.—The term “Program  
11 Partner” means—

12 (A) a unit of local government;

13 (B) a land trust;

14 (C) a conservation nonprofit organization;

15 or

16 (D) a qualified youth service and conserva-  
17 tion corps, including—

18 (i) an organization established  
19 under—

20 (I) the National and Community  
21 Service Act of 1990 (42 U.S.C. 12501  
22 et seq.);

23 (II) title I of Public Law 91–378  
24 (commonly known as the “Youth Con-

1            servation Corps Act of 1970”) (16  
2            U.S.C. 1701 et seq.); or

3                    (III) the Public Lands Corps Act  
4            of 1993 (16 U.S.C. 1721 et seq.), in-  
5            cluding the Indian Youth Service  
6            Corps authorized under section 210 of  
7            such Act (16 U.S.C. 1727b);

8                    (ii) the Urban Youth Corps authorized  
9            under section 106(e)(3) of the National  
10           and Community Service Trust Act of 1993  
11           (42 U.S.C. 12656);

12                   (iii) a qualified urban youth corps (as  
13           defined in section 106(e)(3) of the Na-  
14           tional and Community Service trust Act of  
15           1993 (42 U.S.C. 12656(e)(3))); and

16                   (iv) the Healthy Future Corps estab-  
17           lished under section 122(a)(2)(A) of the  
18           National and Community Service Act of  
19           1990 (42 U.S.C. 12572(a)(2)(A)).

20                   (6) STATE.—The term “State” means any  
21           State of the United States, or any instrumentality  
22           thereof approved by the Governor, the Common-  
23           wealth of Puerto Rico, other self-governing or par-  
24           tially self-governing territories of the United States,  
25           and Indian Tribes.

1 **SEC. 7. TERMINATION.**

2       The authority of the President to establish and oper-  
3 ate a Civilian Conservation and Climate Corps under this  
4 Act shall expire on September 30 of the fifth complete fis-  
5 cal year following the enactment of this Act.

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