

109TH CONGRESS
2^D SESSION

H. R. 6181

To amend the National and Community Service Act of 1990 to establish a National Infrastructure Corps to address the Nation's infrastructure needs and provide employment opportunities for unemployed individuals.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 2006

Mr. CLAY (for himself and Mr. OWENS) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the National and Community Service Act of 1990 to establish a National Infrastructure Corps to address the Nation's infrastructure needs and provide employment opportunities for unemployed individuals.

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 “National Infrastruc-
5 ture Corps Act of 2006”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The United States is suffering a worsening
2 crisis in public infrastructure, including a lack or in-
3 sufficiency of railroad, mass transportation, power,
4 water control, river navigation, port, oil refining, and
5 hospital infrastructure facilities.

6 (2) The “infrastructure report card” issued by
7 the American Society of Civil Engineers estimates
8 the need for \$1,700,000,000,000 in investments to
9 repair and replace obsolescent and broken-down in-
10 frastructure facilities in the United States.

11 (3) The Nation’s infrastructure crisis became
12 dramatically apparent after the breakdown of water
13 control, transportation, and power infrastructure fa-
14 cilities in the Gulf States following Hurricanes
15 Katrina and Rita.

16 (4) Each \$1,000,000,000 of Federal funding in-
17 vested in infrastructure facilities creates approxi-
18 mately 50,000 jobs and \$6,000,000,000 in economic
19 activity.

20 (5) The United States continues to suffer high
21 rates of unemployment in urban and rural areas, es-
22 pecially among males in their twenties, and individ-
23 uals and households continue to experience decreases
24 in wages and real income.

1 (6) Regional, State, and local infrastructure re-
2 building projects require a great deal of semi-skilled
3 and labor-intensive employment.

4 (7) These projects include the necessary repair
5 and rebuilding of large numbers of the Nation's "up-
6 stream" dams, which could provide employment to
7 100,000 individuals, and the replacement of the 10
8 obsolete locks and dams on the Ohio River Mainstem
9 system, which would generate approximately 20,000
10 jobs over a multi-year period.

11 (8) The Urban Youth Corps administered by
12 the Departments of Housing and Urban Develop-
13 ment and Transportation, the National Civilian
14 Community Corps, and other volunteer programs of
15 the Corporation for National and Community Serv-
16 ice have greatly contributed to public works and dis-
17 aster response projects.

18 (9) The authority of the Corporation for Na-
19 tional and Community Service should be expanded to
20 provide employment opportunities and reverse trends
21 in urban unemployment through the establishment
22 of a National Infrastructure Corps modeled after the
23 Community Conservation Corps created at the out-
24 set of the Great Depression.

1 **SEC. 3. ESTABLISHMENT OF NATIONAL INFRASTRUCTURE**
2 **CORPS.**

3 (a) IN GENERAL.—Title I of the National and Com-
4 munity Service Act of 1990 (42 U.S.C. 12501 et seq.) is
5 amended by adding at the end the following:

6 **“Subtitle J—National**
7 **Infrastructure Corps**

8 **“SEC. 199AA. DEFINITIONS.**

9 “In this subtitle, the following definitions apply:

10 “(1) CORPS.—The term ‘Corps’ means the Na-
11 tional Infrastructure Corps established by section
12 199BB.

13 “(2) ELIGIBLE PROJECT.—The term ‘eligible
14 project’ means a project for the construction or re-
15 pair of an economic infrastructure facility in the
16 United States, including a power, rail, transport,
17 port, inland navigation, water management, drinking
18 water, energy, or hospital facility.

19 “(3) ELIGIBLE INDIVIDUAL.—The term ‘eligible
20 individual’ means an individual who is—

21 “(A) unemployed or employed on a part-
22 time basis due to economic reasons, as defined
23 by the Secretary of Labor;

24 “(B) between the ages of 18 and 40; and

1 “(C) a citizen of, or an alien lawfully ad-
2 mitted for permanent residence to, the United
3 States.

4 “(4) **QUALIFIED INFRASTRUCTURE CORPS.**—
5 The term ‘qualified infrastructure corps’ means a
6 program established by a State or local government
7 or by a nonprofit organization to carry out eligible
8 projects and provide employment to eligible individ-
9 uals.

10 **“SEC. 199BB. ESTABLISHMENT.**

11 “‘There is established a National Infrastructure
12 Corps, to be administered by the Corporation.

13 **“SEC. 199CC. PURPOSES.**

14 “‘The purposes of the Corps shall be—

15 “(1) to address the economic infrastructure
16 needs of the Nation through the performance of eli-
17 gible projects; and

18 “(2) to address high rates of unemployment in
19 urban and rural areas by providing employment op-
20 portunities to eligible individuals.

21 **“SEC. 199DD. PARTICIPATION IN THE CORPS.**

22 “(a) **PARTICIPANTS.**—The Corps shall be composed
23 of not more than 40,000 eligible individuals recruited by
24 the Corporation.

1 “(b) TRAINING.—The Corporation may provide em-
2 ployment training for individuals participating in the
3 Corps. The Corporation may provide such training by en-
4 tering into agreements with building trades unions and
5 labor councils that regularly provide 4-week and 6-week
6 training classes in construction and the building trades.

7 “(c) RESIDENCY PROGRAM.—

8 “(1) IN GENERAL.—The Corporation may pro-
9 vide housing for individuals participating in the
10 Corps.

11 “(2) CORPS HOUSING.—The Corporation shall
12 provide such housing in a manner in which individ-
13 uals participating in the Corps reside with other
14 Corps participants.

15 “(d) PERIOD OF PARTICIPATION.—An individual may
16 participate in the Corps for a period of not more than
17 1 year.

18 **“SEC. 199EE. PROJECTS TO BE CARRIED OUT BY THE**
19 **CORPS.**

20 “(a) SELECTION OF PROJECTS.—

21 “(1) IN GENERAL.—The Corporation shall se-
22 lect eligible projects to be carried out by the Corps
23 and shall provide financial assistance for such
24 projects using amounts appropriated to carry out
25 this subtitle.

1 “(2) PARTICIPATION OF ARMY CORPS OF ENGI-
2 NEERS.—The Corporation shall select eligible
3 projects under paragraph (1) in cooperation with the
4 Secretary of the Army, acting through the Chief of
5 Engineers.

6 “(3) PROJECT PROPOSALS.—The Corporation
7 shall select eligible projects under this subsection
8 based on proposals submitted to the Corporation by
9 Federal, State, and local entities. The head of a
10 Federal, State, or local entity shall submit such a
11 proposal at the time and in the manner as the Cor-
12 poration requires.

13 “(4) DISASTER RELIEF ACTIVITIES.—In select-
14 ing eligible projects under this subsection, the Cor-
15 poration shall give priority to projects to repair vital
16 infrastructure facilities damaged by natural disasters
17 and emergencies, including projects to address dam-
18 ages resulting from Hurricanes Katrina and Rita.

19 “(b) PERFORMANCE OF PROJECTS.—

20 “(1) COOPERATION WITH THE ARMY CORPS OF
21 ENGINEERS.—The Corporation may enter into con-
22 tracts and cooperative agreements under which the
23 Corps shall perform eligible projects in coordination
24 with the Secretary of the Army, acting through the
25 Chief of Engineers.

1 “(2) COOPERATION WITH OTHER FEDERAL
2 AGENCIES.—

3 “(A) CONTRACTS AND COOPERATIVE
4 AGREEMENTS.—The Corporation may enter
5 into contracts and cooperative agreements
6 under which the Corps shall perform eligible
7 projects in coordination with the heads of other
8 Federal entities, including—

9 “(i) the Urban Youth Corps, adminis-
10 tered by the Secretary of Housing and
11 Urban Development;

12 “(ii) the Urban Youth Corps, adminis-
13 tered by the Secretary of Transportation;

14 “(iii) the National Resource Conserva-
15 tion Service of the Department of Agri-
16 culture; and

17 “(iv) the National Civilian Community
18 Corps.

19 “(B) REPAIR AND REBUILDING OF UP-
20 STREAM STRUCTURES.—The Corporation shall
21 seek to enter into a contract or cooperative
22 agreement under this paragraph with the Chief
23 of the National Resource Conservation Service
24 for the rebuilding and repair of upstream struc-
25 tures across the Nation.

1 “(3) USE OF QUALIFIED INFRASTRUCTURE
2 CORPS.—

3 “(A) CONTRACTS AND COOPERATIVE
4 AGREEMENTS.—The Corporation may enter
5 into contracts and cooperative agreements with
6 any qualified infrastructure corps to perform el-
7 igible projects.

8 “(B) GRANTS.—The Corporation may
9 make grants to States (and through States to
10 local governments) for the purpose of estab-
11 lishing, operating, and supporting a qualified
12 infrastructure corps that will perform eligible
13 projects.

14 “(C) APPLICABILITY OF MATCHING RE-
15 QUIREMENTS.—The matching funds require-
16 ment of section 121(e) shall apply to financial
17 assistance provided under this paragraph.

18 “(c) COORDINATION OF ACTIVITIES.—The Corpora-
19 tion shall coordinate the activities of the Corps with other
20 national service activities carried out under this title.

21 **“SEC. 199FF. WAGES.**

22 “(a) IN GENERAL.—All individuals participating in
23 the Corps or in a qualified infrastructure corps performing
24 work for the construction, alteration, or repair, including
25 painting and decorating, of projects, buildings, and works

1 funded using amounts appropriated to carry out this sub-
2 title shall be paid wages at not less than the prevailing
3 wages on similar construction in the locality as determined
4 by the Secretary of Labor in accordance with sections
5 3141–3144, 3146, and 3147 of title 40, United States
6 Code.

7 “(b) **AUTHORITY.**—With respect to the determination
8 of wages under paragraph (1), the Secretary of Labor
9 shall have the authority and functions set forth in Reorga-
10 nization Plan No. 14 of 1950 (64 Stat. 1267) and section
11 3145 of title 40, United States Code.

12 **“SEC. 199GG. NON-FEDERAL STATUS.**

13 “(a) **IN GENERAL.**—Except as otherwise provided in
14 this section, individuals participating in the Corps shall
15 not, by reason of their status as such participants, be con-
16 sidered Federal employees and shall not be subject to the
17 provisions of law relating to Federal employees.

18 “(b) **WORK-RELATED INJURIES.**—

19 “(1) **IN GENERAL.**—For purposes of subchapter
20 I of chapter 81 of title 5, United States Code, relat-
21 ing to the compensation of Federal employees for
22 work injuries, individuals participating in the Corps
23 shall be considered as employees of the United
24 States within the meaning of the term ‘employee’, as
25 defined in section 8101 of such title.

1 “(2) SPECIAL RULE.—In the application of the
 2 provisions of subchapter I of chapter 81 of title 5,
 3 United States Code, to an individual referred to in
 4 paragraph (1), the individual shall not be considered
 5 to be in the performance of duty while absent from
 6 the individual’s assigned post of duty unless the ab-
 7 sence is authorized in accordance with procedures
 8 prescribed by the Director of the Corporation.

9 “(c) TORT CLAIMS PROCEDURE.—An individual par-
 10 ticipating in the Corps shall be considered an employee
 11 of the United States for purposes of chapter 171 of title
 12 28, United States Code, relating to tort claims liability
 13 and procedure.

14 **“SEC. 199HH. AUTHORIZATION OF APPROPRIATIONS.**

15 “‘There is authorized to be appropriated to carry out
 16 this subtitle \$900,000,000 for each of fiscal years 2007
 17 through 2010.’”.

18 (b) TABLE OF CONTENTS.—The table of contents
 19 contained in section 1(b) of the National and Community
 20 Service Act of 1990 is amended by adding at the end of
 21 the items relating to title I the following:

 “Subtitle J—National Infrastructure Corps

 “Sec. 199AA. Definitions.

 “Sec. 199BB. Establishment.

 “Sec. 199CC. Purposes.

 “Sec. 199DD. Participation in the Corps.

 “Sec. 199EE. Projects to be carried out by the Corps.

 “Sec. 199FF. Wages.

 “Sec. 199GG. Non-Federal status.

 “Sec. 199HH. Authorization of appropriations.’”.

1 **SEC. 4. CONFORMING AMENDMENT.**

2 Section 122(a) of the National and Community Serv-
3 ice Act of 1990 (42 U.S.C. 12572(a)) is amended—

4 (1) by redesignating paragraph (15) as para-
5 graph (16); and

6 (2) by inserting after paragraph (14) the fol-
7 lowing:

8 “(15) An economic infrastructure construction
9 program such as the National Infrastructure Corps
10 established under section 199BB or a qualified in-
11 frastructure corps as defined in section 199AA.”.

○