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DEPARTMENT OF THE INTERIOR VOLUNTEER RECRUITMENT ACT OF 2005

OCTOBER 19, 2005.—Ordered to be printed

Mr. DOMENICI, from the Committee on Energy and Natural
Resources, submitted the following

R E P O R T

[To accompany H.R. 584]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 584) to authorize the Secretary of the Interior to recruit volunteers to assist with, or facilitate, the activities of various agencies and offices of the Department of the Interior, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

PURPOSE OF THE MEASURE

The purpose of H.R. 584 is to authorize the Secretary of the Interior to recruit volunteers to assist with or facilitate the programs of various agencies and offices of the Department of the Interior that presently lack such authority.

BACKGROUND AND NEED

The Department of the Interior has bureaus with vibrant volunteer programs, such as the National Park Service, the United States Fish and Wildlife Service, and the Bureau of Land Management. Currently, the Bureau of Indian Affairs and the Office of the Secretary do not have authority to provide for volunteers. Existing authority is lacking in certain respects for the Bureau of Reclamation and the U.S. Geological Survey. H.R. 584 will provide these agencies and offices with volunteer program authority which will allow them to develop volunteer programs like those that exist at other Department of the Interior agencies.

LEGISLATIVE HISTORY

Representative Pombo introduced H.R. 584 on February 2, 2005. On March 14, 2005 the House of Representative passed H.R. 584, without amendment, by a voice vote. On March 15, 2005, H.R. 584 was received in the Senate and referred to the Committee on Energy and Natural Resources.

An identical bill, S. 305 was introduced by Senator Craig on February 7, 2005. The Subcommittee on Public Lands and Forests held a hearing on S. 305 on March 8, 2005 (S. Hrg. 109–19). At the business meeting on September 28, 2005, the Committee on Energy and Natural Resources ordered H.R. 584 favorably reported, without amendment, by a unanimous voice vote. During the 108th Congress, the House of Representatives passed a similar bill, H.R. 4170. The Senate Public Lands and Forests Subcommittee held a hearing on H.R. 4170 on September 29, 2004, but no further action was taken.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on September 28, 2005, by a unanimous voice vote of a quorum present, recommends that the Senate pass H.R. 584.

SECTION-BY-SECTION ANALYSIS

Section 1 provides the short title of the Act.

Section 2 states that the purpose of the Act is to authorize the Secretary of the Interior to recruit and use volunteers to assist with and facilitate the programs in the specified departmental agencies and offices.

Section 3(a) authorizes the Secretary of the Interior to recruit, train, and accept the services of volunteers for aiding in or facilitating the activities administered by Bureau of Indian Affairs, the United States Geological Survey, the Bureau of Reclamation, and the Office of the Secretary.

Subsection (b) prescribes limitations on where the volunteers may work and the types of activities they may perform, stipulating that all volunteers under this authority must be supervised by an appropriate officer or employee of the United States.

Subsection (c) authorizes the Secretary to provide for the costs incidental to the utilization of volunteers, including transportation, supplies, uniforms, lodging, subsistence (without regard to place of residence), recruiting, training, supervision, and awards and recognition (including nominal cash awards).

Subsection (d) provides and describes the Federal employment status of the volunteers authorized under the Act.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

H.R. 584—Department of the Interior Volunteer Recruitment Act of 2005

CBO estimates that enacting H.R. 584 would not significantly affect the federal budget. The legislation could increase direct spend-

ing, but we estimate that any such effects would be negligible. Enacting H.R. 584 would not affect revenues. H.R. 584 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

This legislation would authorize the Secretary of the Interior to recruit and use volunteers to assist with programs carried out by the Bureau of Indian Affairs, the Bureau of Reclamation, the U.S. Geological Survey, and the Office of the Secretary. It would authorize the Secretary to provide for services and expenses incidental to the use of those volunteers as well as coverage for tort claim liability and workers' compensation.

Under current law, other agencies within the Department of the Interior (DOI) already have authority to recruit and use volunteers. Based on information from DOI about the cost of operating those agencies' volunteer programs, CBO estimates that extending that authority to other agencies under H.R. 584 would cost less than \$500,000 a year, assuming the availability of appropriated funds. In some cases, payments to or on behalf of volunteers resulting from tort claims could be made from the U.S. Treasury's Judgment Fund; hence, H.R. 584 could result in an increase in direct spending. Based on the amount of such claims paid under DOI's existing volunteer programs, however, CBO estimates that any increase in direct spending under H.R. 584 would be negligible.

The CBO staff contact for this estimate is Megan Carroll. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 584.

The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 584.

EXECUTIVE COMMUNICATIONS

The Administration's views on H.R. 584 are not known at this time. However, the Department of the Interior did provide testimony on S. 305 (an identical bill) at the Public Lands and Forests Subcommittee hearing on March 8, 2005, as follows:

STATEMENT OF CHRIS KEARNEY DEPUTY ASSISTANT SECRETARY FOR POLICY AND INTERNATIONAL AFFAIRS U.S. DEPARTMENT OF THE INTERIOR

S. 305, the Department of the Interior Volunteer Recruitment Act of 2005, would allow the Secretary of the Interior to recruit volunteers to assist with the activities of various agencies and offices of the Department of the Inte-

rior. The Department of the Interior strongly supports this bill and urges that it be enacted. It is consistent with the Administration's program. Through our Take Pride in America program, the Department of the Interior recruits, supports, and recognizes volunteers who work to improve our public lands and cultural and historic sites. Volunteers across America help public land managers fix fences and trails, stabilize soils, replant stream banks devastated by forest fires, restore historic buildings, teach kids to fish, collect data and monitor bird populations. They direct their energy to serving the American public and building a culture of responsibility.

Currently, just five of the Interior Department's eight bureaus have authority to accept volunteers, and two of these have only limited authority to use volunteers. Statutory provisions regarding the proper limitations on using volunteers are inconsistent or nonexistent. S. 305 would provide clear authority to pay for incidental services or costs associated with volunteers, such as providing supplies or transportation to a work site, and for training and supervision of volunteers. This bill would fill many statutory gaps, providing authority for the Bureau of Indian Affairs and the Office of the Secretary to work with volunteers to support the renewal of the Take Pride in America program, and perfecting the existing volunteer authority of the United States Geological Survey and the Bureau of Reclamation. The Department of the Interior is therefore pleased to support the passage of this legislation.

The bill is entirely consistent with existing authorities. It does not disturb the current statutory volunteer authority of the three bureaus that presently have sufficient authority and avoids disruption of existing programs to the maximum extent possible. This bill would not displace employees.

The Department of the Interior is a leader in the federal government in providing opportunities for volunteer service. Because of our unique mission in support of the Nation's natural and cultural heritage, we believe that expanding volunteer authority makes eminent good sense and that this bill is suitably drafted for that purpose. If this bill is enacted, Americans will have opportunities, for example, to volunteer as tutors in BIA schools. Nineteenth century French writer Alexis de Tocqueville observed that the United States was a nation of voluntary associations. S. 305 will help to make sure our 21st century laws keep this spirit of volunteerism alive.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the Act H.R. 584 as ordered reported.