

106TH CONGRESS
1ST SESSION

H. R. 3501

To promote and appropriately recognize the role of volunteers and partnership organizations in the stewardship of the resources and values of Federal lands administered by the Secretary of Agriculture and the Secretary of the Interior, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 1999

Mr. UDALL of Colorado (for himself and Mr. UDALL of New Mexico) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To promote and appropriately recognize the role of volunteers and partnership organizations in the stewardship of the resources and values of Federal lands administered by the Secretary of Agriculture and the Secretary of the Interior, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Stewardship Education, Recreation, and Volunteers for
4 the Environment Act of 1999”.

5 (b) TABLE OF CONTENTS.—The table of contents of
6 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings, purposes, and definitions.
- Sec. 3. Use of volunteers to perform services to benefit Federal lands.
- Sec. 4. Recognition of volunteers.
- Sec. 5. Cooperative agreements for stewardship of Federal lands.
- Sec. 6. Educational outreach.
- Sec. 7. Reports and accountability.
- Sec. 8. Authorization of appropriations.

7 **SEC. 2. FINDINGS, PURPOSES, AND DEFINITIONS.**

8 (a) FINDINGS.—The Congress finds the following:

9 (1) Lands owned by the United States and
10 managed by the Federal land management agencies
11 encompass extensive natural, cultural, educational,
12 scientific, ecological, wilderness, recreational and
13 other resources and values.

14 (2) Proper stewardship of these resources and
15 values is an important national priority.

16 (3) Individual volunteers and organizations,
17 working in partnership with Federal land manage-
18 ment agencies, play an invaluable role in the stew-
19 ardsip of these resources and values.

20 (4) It is in the national interest to encourage
21 and properly recognize the contributions of these vol-
22 unteers and organizations.

1 (b) PURPOSES.—The purposes of this Act are—

2 (1) to encourage individual volunteers and part-
3 nership organizations to assist the Secretary of the
4 Interior and the Secretary of Agriculture in imple-
5 menting programs for the stewardship of the re-
6 sources, values, and facilities of the Federal lands
7 managed by the Federal land management agencies;
8 and

9 (2) to authorize appropriate recognition for the
10 role of volunteers and partnership organizations in
11 providing such assistance.

12 (c) DEFINITIONS.—In this Act:

13 (1) FEDERAL LANDS.—The term “Federal
14 lands” means—

15 (A) lands owned by the United States and
16 managed by Forest Service of the Department
17 of Agriculture; and

18 (B) lands owned by the United States and
19 managed by a Federal land management agency
20 of the Department of the Interior.

21 (2) FEDERAL LAND MANAGEMENT AGENCY.—
22 The term “Federal land management agency”
23 means the Bureau of Land Management, the United
24 States Fish and Wildlife Service, the National Park

1 Service, the Bureau of Reclamation, and the Forest
2 Service.

3 (3) PARTNERSHIP ORGANIZATION.—the term
4 “partnership organization” means an organization
5 that—

6 (A) draws its membership from private in-
7 dividuals, organizations, corporations, academic
8 institutions, or State and local governments;

9 (B) is established to promote the under-
10 standing and conservation of the natural, rec-
11 reational, and cultural resources of Federal
12 lands and to promote education relating to
13 these natural and cultural resources; and

14 (C) is described in section 501(c)(3) of the
15 Internal Revenue Code of 1986 and is exempt
16 from taxation under section 501(a) of that
17 Code.

18 (4) SECRETARY CONCERNED.—The term “Sec-
19 retary concerned” means the Secretary of the Inte-
20 rior with respect to the Federal lands described in
21 paragraph (1)(B) and the Secretary of Agriculture
22 with respect to the Federal lands described in para-
23 graph (1)(A).

24 (5) VOLUNTEER.—The term “volunteer” means
25 an individual or member of a partnership organiza-

1 tion who performs volunteer services pursuant to
2 section 3(a).

3 **SEC. 3. USE OF VOLUNTEERS TO PERFORM SERVICES TO**
4 **BENEFIT FEDERAL LANDS.**

5 (a) **AUTHORITY TO USE VOLUNTEERS.**—The Sec-
6 retary concerned may recruit, train, and accept the serv-
7 ices of individuals and partnership organizations, without
8 compensation, as volunteers to supplement the work of
9 employees of each Federal land management agency in
10 performing activities for the benefit of Federal lands. The
11 Secretary concerned may recruit, train, and accept volun-
12 teers without regard to—

13 (1) the provisions of title 5, United States
14 Code, relating to appointments in the competitive
15 service; or

16 (2) chapter 51 or subchapter III of chapter 53
17 of title 5, United States Code, relating to classifica-
18 tion and General Schedule pay rates for employees.

19 (b) **GENERAL STATUS OF VOLUNTEERS UNDER FED-**
20 **ERAL EMPLOYMENT LAW.**—Except as provided in sub-
21 section (c), a volunteer shall not—

22 (1) be considered to be a Federal employee; and

23 (2) be subject to the provisions of law relating
24 to Federal employment, including provisions relating
25 to hours of work, rates of compensation, leave, un-

1 employment compensation, and Federal employee
2 benefits.

3 (c) LIMITED STATUS OF VOLUNTEERS AS FEDERAL
4 EMPLOYEES.—

5 (1) FEDERAL TORT CLAIMS ACT.—For purposes
6 of chapter 171 of title 28, United States Code, a vol-
7 unteer (and the partnership organization, if any,
8 that provided the volunteer) shall be considered to
9 be an employee of the Government (as defined in
10 section 2671 of that title) while performing volun-
11 teer services pursuant to subsection (a).

12 (2) COMPENSATION FOR WORK INJURIES.—For
13 purposes of subchapter I of chapter 81 of title 5,
14 United States Code, a volunteer shall be considered
15 to be an employee (as defined in section 8101 of
16 title 5, United States Code).

17 **SEC. 4. RECOGNITION OF VOLUNTEERS.**

18 (a) VOLUNTEER PASSPORTS PROGRAM.—The Sec-
19 retary of the Interior and the Secretary of Agriculture,
20 acting jointly, shall establish a program to be known as
21 the “Volunteer Passports Program”, to appropriately rec-
22 ognize the contributions of volunteers who complete speci-
23 fied hours of volunteer service for a Federal land manage-
24 ment agency.

1 (b) UNIFORMITY.—The Volunteer Passports Pro-
2 gram shall apply uniformly to each Federal land manage-
3 ment agency.

4 (c) CLASSES OF PASSPORTS.—

5 (1) AWARD AND PURPOSE.—The Volunteer
6 Passports Program shall provide for the award of
7 various classes of Volunteer Passports to volunteers.
8 The passport shall entitle the volunteer to exemp-
9 tion, for a specified period of time, from one or more
10 fees charged for access to or use of facilities on
11 lands managed by one or more Federal land man-
12 agement agencies in one or more States.

13 (2) CLASSES AND BENEFITS BASED ON HOURS
14 OF VOLUNTEER SERVICES.—The award of a par-
15 ticular class of Volunteer Passport to a volunteer
16 shall reflect completion by the volunteer of a speci-
17 fied number of hours of volunteer service, so that
18 completion of additional hours shall result in exemp-
19 tion from additional fees.

20 (d) PROGRESS REPORT.—Not later than one year
21 after the date of the enactment of this Act, the Secretary
22 of the Interior and the Secretary of Agriculture shall sub-
23 mit to Congress a report concerning the steps taken to
24 implement this section and any steps remaining to be
25 taken to complete its implementation.

1 **SEC. 5. COOPERATIVE AGREEMENTS FOR STEWARDSHIP**
2 **OF FEDERAL LANDS.**

3 (a) **AUTHORITY TO ENTER INTO AGREEMENTS.—**

4 The Secretary concerned may enter into cooperative agree-
5 ments (within the meaning of chapter 63 of title 31,
6 United States Code) with any partnership organization,
7 academic institution, or State or local government agency
8 to carry out one or more projects or programs of coopera-
9 tion with a Federal land management agency in accord-
10 ance with this section.

11 (b) **AUTHORIZED PROJECTS AND PROGRAMS.—**Sub-
12 ject to subsection (c), the Secretary concerned may carry
13 out the following types of projects and programs for the
14 Federal lands using a cooperative agreement under sub-
15 section (a):

16 (1) Projects and programs that promote the
17 stewardship of resources of Federal lands by volun-
18 teers.

19 (2) Projects and programs that support the
20 programs of a Federal land management agency
21 through constructing, operating, maintaining, or im-
22 proving educational and recreational facilities and
23 services.

24 (3) Projects and programs that increase aware-
25 ness and understanding of Federal lands through

1 the development, publication, or distribution of edu-
2 cational materials and products.

3 (4) Projects and programs that advance edu-
4 cation concerning the Federal lands and the mis-
5 sions of the Federal land management agencies
6 through the use of the Federal lands as outdoor
7 classrooms and development of other educational
8 programs.

9 (5) Projects and programs that contribute fi-
10 nancial resources to the Federal lands, under terms
11 that require that the net revenues be used exclu-
12 sively for volunteer or educational programs at a
13 particular field office, program, site, or project.

14 (c) CONDITIONS ON USE OF AUTHORITY.—The Sec-
15 retary concerned may use a cooperative agreement under
16 subsection (a) to carry out a project or program for the
17 Federal lands only if the project or program—

18 (1) complies with all Federal laws and all Fed-
19 eral rules, regulations, and policies;

20 (2) is consistent with the applicable manage-
21 ment plan for the Federal lands involved; and

22 (3) satisfies such other terms and conditions as
23 the Secretary concerned determines to be appro-
24 priate.

25 (d) FEDERAL FUNDING AND OWNERSHIP.—

1 (1) MATCHING.—Subject to the availability of
2 appropriations and the requirements of applicable
3 laws, the Secretary concerned may provide funds to
4 match non-Federal funds (and the value of services
5 or materials) donated under a cooperative agreement
6 under this section. With respect to each project, pro-
7 gram, or site, the amount of funds provided by a
8 Secretary may not exceed the amount of the non-
9 Federal donations.

10 (2) USE OF FEDERAL FUNDS.—Any Federal
11 funds used to fund a project or program under a co-
12 operative agreement may be used only for expenses
13 directly related to the project or program and may
14 not be used for operation or administration of any
15 non-Federal entity.

16 (3) OWNERSHIP OF FACILITIES.—Any new fa-
17 cility, improvement to an existing facility, or other
18 permanent improvement to a Federal lands site or
19 project constructed under this section shall be the
20 property of the United States.

21 (e) TREASURY ACCOUNT.—Amounts received by the
22 Secretary concerned for use in connection with projects
23 and programs conducted under the authority of this sec-
24 tion shall be deposited in a separate account in the Treas-
25 ury and shall be available for such use without further

1 congressional action. Amounts in the account that are at-
2 tributable to activities at a particular field office or site
3 shall be available to pay the costs of incidental expenses
4 related to volunteer or educational activities and to carry
5 out cooperative agreements for that office or site.

6 **SEC. 6. EDUCATIONAL OUTREACH.**

7 In implementing this Act and other applicable laws,
8 each Federal land management agency shall seek to co-
9 operate with States, local school districts, and other
10 entities—

11 (1) to promote participation by students and
12 other young people in volunteer programs of the
13 Federal land management agencies;

14 (2) to promote greater understanding by stu-
15 dents and other young people of the resources and
16 values of Federal lands and the importance of prop-
17 er stewardship of those resources and values; and

18 (3) to provide information and assistance to
19 students and other young people with an interest in
20 careers with a Federal land management agency or
21 other organizations concerned with the management
22 of natural or cultural resources.

23 **SEC. 7. REPORTS AND ACCOUNTABILITY.**

24 After submission of the report required by section
25 4(d), the progress and results of all programs and activi-

1 ties authorized under this Act shall be reported through
2 existing agency mechanisms, including budget-related doc-
3 uments.

4 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

5 There are hereby authorized to be appropriated such
6 sums as may be necessary to carry out this Act during
7 fiscal years 2001 through 2005.

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