

Calendar No. 503

105TH CONGRESS
2^D SESSION

S. 2244

[Report No. 105-270]

To amend the Fish and Wildlife Act of 1956 to promote volunteer programs and community partnerships for the benefit of national wildlife refuges, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 26, 1998

Mr. CHAFEE (for himself, Mr. KEMPTHORNE, Mr. BAUCUS, Mr. ALLARD, Mr. DASCHLE, Ms. COLLINS, Mr. GRAHAM, Mrs. FEINSTEIN, Mr. JEFFORDS, Mr. SMITH of Oregon, Mr. D'AMATO, Mr. FAIRCLOTH, Mr. BOND, Mr. DEWINE, and Mr. SMITH of New Hampshire) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

JULY 28, 1998

Reported by Mr. CHAFEE, without amendment

A BILL

To amend the Fish and Wildlife Act of 1956 to promote volunteer programs and community partnerships for the benefit of national wildlife refuges, 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.**

2 This Act may be cited as the “National Wildlife Ref-
3 uge System Volunteer and Partnership Enhancement Act
4 of 1998”.

5 **SEC. 2. FINDINGS AND PURPOSES.**

6 (a) FINDINGS.—Congress finds that—

7 (1) the National Wildlife Refuge System (re-
8 ferred to in this Act as the “System”), consisting of
9 more than 500 refuges and 93,000,000 acres, plays
10 an integral role in the protection of the natural re-
11 sources of the United States;

12 (2) the National Wildlife Refuge System Im-
13 provement Act of 1997 (Public Law 105–57; 111
14 Stat. 1252) significantly improved the law governing
15 the System, although the financial resources for im-
16 plementing this law and managing the System re-
17 main limited;

18 (3) by encouraging volunteer programs and do-
19 nations, and facilitating non-Federal partnerships
20 with refuges, Federal funding for the refuges can be
21 supplemented and the System can fully benefit from
22 the amendments made by the National Wildlife Ref-
23 uge System Improvement Act of 1997; and

24 (4) by encouraging refuge educational pro-
25 grams, public awareness of the resources of the Sys-

1 tem and public participation in the conservation of
2 those resources can be promoted.

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

4 (1) to encourage the use of volunteers to assist
5 the United States Fish and Wildlife Service in the
6 management of refuges within the System;

7 (2) to facilitate partnerships between the Sys-
8 tem and non-Federal entities to promote public
9 awareness of the resources of the System and public
10 participation in the conservation of those resources;
11 and

12 (3) to encourage donations and other contribu-
13 tions by persons and organizations to the System.

14 **SEC. 3. GIFTS TO PARTICULAR NATIONAL WILDLIFE REF-**
15 **UGES.**

16 Section 7(b)(2) of the Fish and Wildlife Act of 1956
17 (16 U.S.C. 742f(b)(2)) is amended—

18 (1) by striking “(2) Any” and inserting the fol-
19 lowing:

20 “(2) USE OF GIFTS, DEVICES, AND BE-
21 QUESTS.—

22 “(A) IN GENERAL.—Any”; and

23 (2) by adding at the end the following:

24 “(B) GIFTS, DEVICES, AND BEQUESTS TO
25 PARTICULAR REFUGES.—

1 “(i) DISBURSAL.—Any gift, devise, or
2 bequest made for the benefit of a particu-
3 lar national wildlife refuge or complex of
4 geographically related refuges shall be dis-
5 bursed only for the benefit of that refuge
6 or complex of refuges and without further
7 appropriations.

8 “(ii) MATCHING.—Subject to the
9 availability of appropriations and the re-
10 quirements of the National Wildlife Refuge
11 Administration Act of 1966 (16 U.S.C.
12 668dd et seq.) and other applicable law,
13 the Secretary may provide funds to match
14 gifts, devises, and bequests made for the
15 benefit of a particular national wildlife ref-
16 uge or complex of geographically related
17 refuges. With respect to each gift, devise,
18 or bequest, the amount of Federal funds
19 may not exceed the amount (or, in the case
20 of property or in-kind services, the fair
21 market value) of the gift, devise, or be-
22 quest.”.

23 **SEC. 4. VOLUNTEER ENHANCEMENT.**

24 (a) PILOT PROJECTS.—

1 (1) IN GENERAL.—Subject to the availability of
2 appropriations, the Secretary of the Interior shall
3 carry out a pilot project at 2 or more national wild-
4 life refuges or complex of geographically related ref-
5 uges in each United States Fish and Wildlife Service
6 region, but not more than 20 pilot projects nation-
7 wide.

8 (2) VOLUNTEER COORDINATOR.—Each pilot
9 project shall provide for the employment of a full-
10 time volunteer coordinator for the refuge or complex
11 of geographically related refuges. The volunteer co-
12 ordinator shall be responsible for recruiting, training
13 and supervising volunteers. The volunteer coordina-
14 tor may be responsible for assisting partner organi-
15 zations in developing projects and programs under
16 cooperative agreements under section 7(d) of the
17 Fish and Wildlife Act of 1956 (as added by section
18 5) and coordinating volunteer activities with partner
19 organizations to carry out the projects and pro-
20 grams.

21 (3) REPORT.—Not later than 3 years after the
22 date of enactment of this Act, the Secretary of the
23 Interior shall submit a report to the Committee on
24 Resources of the House of Representatives and the
25 Committee on Environment and Public Works of the

1 Senate evaluating and making recommendations re-
2 garding the pilot projects.

3 (4) AUTHORIZATION OF APPROPRIATIONS.—

4 There is authorized to be appropriated to carry out
5 this subsection \$2,000,000 for each of fiscal years
6 1999 through 2002.

7 (b) AWARDS AND RECOGNITION FOR VOLUN-
8 TEERS.—Section 7(c)(2) of the Fish and Wildlife Act of
9 1956 (16 U.S.C. 742f(c)(2)) is amended—

10 (1) by inserting “awards (including nominal
11 cash awards) and recognition,” after “lodging,”; and

12 (2) by inserting “without regard to their places
13 of residence” after “volunteers”.

14 (c) SENIOR VOLUNTEER CORPS.—Section 7(c) of the
15 Fish and Wildlife Act of 1956 (16 U.S.C. 742f(c)) is
16 amended by striking paragraph (6) and inserting the fol-
17 lowing:

18 “(6) SENIOR VOLUNTEER CORPS.—The Sec-
19 retary of the Interior may establish a Senior Volun-
20 teer Corps, consisting of volunteers over the age of
21 50. To assist in the recruitment and retention of the
22 volunteers, the Secretary may provide for additional
23 incidental expenses to members of the Corps beyond
24 the incidental expenses otherwise provided to volun-
25 teers under this subsection. The members of the

1 Corps shall be subject to the other provisions of this
 2 subsection.”.

3 **SEC. 5. COMMUNITY PARTNERSHIP ENHANCEMENT.**

4 Section 7 of the Fish and Wildlife Act of 1956 (16
 5 U.S.C. 742f) is amended by adding at the end the follow-
 6 ing:

7 “(d) COMMUNITY PARTNERSHIP ENHANCEMENT.—

8 “(1) DEFINITION OF PARTNER ORGANIZA-
 9 TION.—In this subsection, the term ‘partner organi-
 10 zation’ means an organization that—

11 “(A) draws its membership from private
 12 individuals, organizations, corporations, aca-
 13 demic institutions, or State or local govern-
 14 ments;

15 “(B) is established to promote the under-
 16 standing of, education relating to, and the con-
 17 servation of the fish, wildlife, plants, and cul-
 18 tural and historical resources of a particular
 19 refuge or complex of geographically related ref-
 20 uges; and

21 “(C) is described in section 501(c)(3) of
 22 the Internal Revenue Code of 1986 and is ex-
 23 empt from taxation under section 501(a) of
 24 that Code.

25 “(2) COOPERATIVE AGREEMENTS.—

1 “(A) IN GENERAL.—The Secretary of the
2 Interior may enter into a cooperative agreement
3 (within the meaning of chapter 63 of title 31,
4 United States Code) with any partner organiza-
5 tion, academic institution, or State or local gov-
6 ernment agency to carry out 1 or more projects
7 or programs for a refuge or complex of geo-
8 graphically related refuges in accordance with
9 this subsection.

10 “(B) PROJECTS AND PROGRAMS.—Subject
11 to the requirements of the National Wildlife
12 Refuge System Administration Act of 1966 (16
13 U.S.C. 668dd et seq.) and other applicable law,
14 and such terms and conditions as the Secretary
15 determines to be appropriate, the Secretary
16 may approve projects and programs for a ref-
17 uge or complex of geographically related refuges
18 that—

19 “(i) promote the stewardship of re-
20 sources of the refuge through habitat
21 maintenance, restoration, and improve-
22 ment, biological monitoring, or research;

23 “(ii) support the operation and main-
24 tenance of the refuge through constructing,

1 operating, maintaining, or improving the
2 facilities and services of the refuge;

3 “(iii) increase awareness and under-
4 standing of the refuge and the National
5 Wildlife Refuge System through the devel-
6 opment, publication, or distribution of edu-
7 cational materials and products;

8 “(iv) advance education concerning
9 the purpose of the refuge and the mission
10 of the System through the use of the ref-
11 uge as an outdoor classroom and develop-
12 ment of other educational programs; or

13 “(v) contribute financial resources to
14 the refuge, under terms that require that
15 the net revenues be used exclusively for the
16 benefit of the refuge, through donation of
17 net revenues from the sale of educational
18 materials and products and through en-
19 couragement of gifts, devises, and be-
20 quests.

21 “(C) FEDERAL FUNDING AND OWNER-
22 SHIP.—

23 “(i) MATCHING.—Subject to the avail-
24 ability of appropriations and the require-
25 ments of the National Wildlife Refuge Ad-

1 ministration Act of 1966 (16 U.S.C. 668dd
2 et seq.) and other applicable law, the Sec-
3 retary may provide funds to match non-
4 Federal funds donated under a cooperative
5 agreement under this paragraph. With re-
6 spect to each project or program, the
7 amount of funds provided by the Secretary
8 may not exceed the amount of the non-
9 Federal funds donated through the project
10 or program.

11 “(ii) USE OF FEDERAL FUNDS.—Any
12 Federal funds used to fund a project or
13 program under a cooperative agreement
14 may be used only for expenses directly re-
15 lated to the project or program and may
16 not be used for operation or administration
17 of any non-Federal entity.

18 “(iii) OWNERSHIP OF FACILITIES.—
19 Any new facility, improvement to an exist-
20 ing facility, or other permanent improve-
21 ment to a refuge constructed under this
22 subsection shall be the property of the
23 United States Government.

24 “(D) TREASURY ACCOUNT.—Amounts re-
25 ceived by the Secretary of the Interior as a re-

1 sult of projects and programs under subpara-
2 graph (B) shall be deposited in a separate ac-
3 count in the Treasury. Amounts in the account
4 that are attributable to activities at a particular
5 refuge or complex of geographically related ref-
6 uges shall be available to the Secretary of the
7 Interior, without further appropriation, to pay
8 the costs of incidental expenses related to vol-
9 unteer activities, and to carry out cooperative
10 agreements for the refuge or complex of ref-
11 uges.”.

12 **SEC. 6. REFUGE EDUCATION PROGRAM DEVELOPMENT.**

13 Section 7 of the Fish and Wildlife Act of 1956 (16
14 U.S.C. 742f) (as amended by section 5) is amended by
15 adding at the end the following:

16 “(e) REFUGE EDUCATION PROGRAM ENHANCE-
17 MENT.—

18 “(1) GUIDANCE.—Not later than 1 year after
19 the date of enactment of this subsection, the Sec-
20 retary of the Interior shall develop guidance for ref-
21 uge education programs to further the mission of
22 the National Wildlife Refuge System and the pur-
23 poses of individual refuges through—

24 “(A) providing outdoor classroom opportu-
25 nities for students on national wildlife refuges

1 that combine educational curricula with the per-
2 sonal experiences of students relating to fish,
3 wildlife, and plants and their habitat and to the
4 cultural and historical resources of the refuges;

5 “(B) promoting understanding and con-
6 servation of fish, wildlife, and plants and cul-
7 tural and historical resources of the refuges;
8 and

9 “(C) improving scientific literacy in con-
10 junction with both formal and nonformal edu-
11 cation programs.

12 “(2) REFUGE PROGRAMS.—Based on the guid-
13 ance developed under paragraph (1), the Secretary
14 of the Interior may develop or enhance refuge edu-
15 cation programs as appropriate, based on the re-
16 sources of individual refuges and the opportunities
17 available for such programs in State, local, and pri-
18 vate schools. In developing and implementing each
19 program, the Secretary should cooperate with State
20 and local education authorities, and may cooperate
21 with partner organizations in accordance with sub-
22 section (d).”.

1 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 7 of the Fish and Wildlife Act of 1956 (16
3 U.S.C. 742f) (as amended by section 6) is amended by
4 adding at the end the following:

5 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
6 is authorized to be appropriated to the Secretary of the
7 Interior to carry out subsections (b), (c), (d) and (e),
8 \$2,000,000 for each of fiscal years 1999 through 2004.”.

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