

PROVIDING FOR THE CONSIDERATION OF H.R. 2677, THE  
NATIONAL PARKS AND NATIONAL WILDLIFE REFUGE  
SYSTEMS FREEDOM ACT OF 1995

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DECEMBER 21, 1995.—Referred to the House Calendar and ordered to be printed

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Mr. MCINNIS, from the Committee on Rules,  
submitted the following

**REPORT**

[To accompany H. Res. 323]

The Committee on Rules, having had under consideration House Resolution 323, by a record vote of 7 to 3, report the same to the House with the recommendation that the resolution be adopted.

BRIEF SUMMARY OF PROVISIONS OF RESOLUTION

The resolution provides for the consideration in the House of H.R. 2677, the National Parks and National Wildlife Refuge Systems Freedom Act of 1995 under a closed rule. The rule provides one hour of general debate to be divided equally between the chairman and ranking minority member of the Committee on Resources.

The resolution provides that the amendment printed in the report of the Committee on Rules shall be considered as adopted.

Finally, the rule provides for one motion to recommit, with or without instructions.

COMMITTEE VOTES

Pursuant to clause 2(l)(2)(B) of House rule XI the results of each rollcall vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

RULES COMMITTEE ROLLCALL NO. 274

Date: December 21, 1995.

Measure: Rule for consideration of H.R. 2677 the National Parks and National Wildlife Refuge Systems Freedom Act of 1995.

Motion By: Mr. Moakley.

Summary of Motion: Make in order an amendment by Mr. Moran, H.R. 2780.

Results: Rejected 3 to 7.

Vote by Members: Dreier—Nay; Goss—Nay; Linder—Nay; Diaz-Balart—Nay; McInnis—Nay; Waldholtz—Nay; Moakley—Yea; Beilenson—Yea; Frost—Yea; Solomon—Nay.

#### COMMITTEE VOTES

Pursuant to clause 2(l)(2)(B) of House rule XI the results of each rollcall vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

#### RULES COMMITTEE ROLLCALL NO. 275

Date: December 21, 1995.

Measure: Rule for consideration of H.R. 2677 the National Parks and National Wildlife Refuge Systems Freedom Act of 1995.

Motion By: Mr. Dreier.

Summary of Motion: Report the rule favorably to the House.

Results: Adopted 7 to 3.

Vote by Members: Dreier—Yea; Goss—Yea; Linder—Yea; Diaz-Balart—Yea; McInnis—Yea; Waldholtz—Yea; Moakley—Nay; Beilenson—Nay; Frost—Nay; Solomon—Yea.

The text of the amendment considered as adopted:

Strike out all after the enacting clause and insert in lieu thereof the following:

#### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “National Park and National Wildlife Refuge Systems Freedom Act of 1995”.

#### **SEC. 2. REQUIREMENT FOR SECRETARY OF THE INTERIOR TO ACCEPT STATE DONATIONS OF STATE EMPLOYEE SERVICES.**

(a) **REQUIREMENT.**—Notwithstanding section 1342 of title 31, United States Code, the Secretary shall accept from any State donations of services of qualified State employees to perform in a Unit, in a period of Government budgetary shutdown, functions otherwise authorized to be performed by Department of Interior personnel.

(b) **LIMITATIONS.**—An employee of a State may perform functions under this section only—

- (1) within areas of a Unit that are located in the State; and
- (2) in accordance with an agreement entered into by the Secretary and the Governor of the State under subsection (c).

(c) **AGREEMENTS.**—

(1) **IN GENERAL.**—For purposes of this section, the Secretary may enter into an agreement in accordance with this subsection with the Governor of any State in which is located any part of a Unit.

(2) **TERMS CONDITIONS.**—An agreement under this subsection shall—

(A) require that each individual performing functions under the agreement shall have—

- (i) provisions to ensure resource and visitor protection acceptable under the standards of the United

States Fish and Wildlife Service or the National Park Service, as appropriate;

- (ii) adequate safety training;
- (iii) knowledge of the terrain in which the individual will perform those functions; and
- (iv) knowledge of and adherence to Federal regulations relating to those functions; and

(B) specify other terms and conditions under which a State employee may perform such functions.

(d) EXCLUSION FROM TREATMENT AS FEDERAL EMPLOYEES.—A State employee who performs functions under this section shall not be treated as a Federal employee for purposes of any Federal law relating to pay or benefits for Federal employees.

(e) ANTI-DEFICIENCY ACT NOT APPLICABLE.—Section 1341(a) of title 31, United States Code, shall not apply with respect to the acceptance of services of, and the performance of functions by, qualified State employees under this section.

(f) DEFINITIONS.—In this section—

(1) the term “Government budgetary shutdown” means a period during which there are no amounts available for the operation of the National Wildlife Refuge System and the National Park System, because of—

(A) a failure to enact an annual appropriations bill for the period for the Department of the Interior; and

(B) a failure to enact a bill (or joint resolution) continuing the availability of appropriations for the Department of the Interior for a temporary period pending the enactment of such an annual appropriations bill;

(2) the term “Secretary” means the Secretary of the Interior; and

(3) the term “Unit” means a unit of—

(A) the National Wildlife Refuge System, or

(B) the National Park System.