

104TH CONGRESS  
1ST SESSION

# H. R. 2706

To authorize the Secretary of the Interior to accept from a State donations of services of State employees to perform hunting management functions in a National Wildlife Refuge in a period of Government budgetary shutdown.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 5, 1995

Mrs. LINCOLN introduced the following bill; which was referred to the  
Committee on Resources

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## A BILL

To authorize the Secretary of the Interior to accept from a State donations of services of State employees to perform hunting management functions in a National Wildlife Refuge in a period of Government budgetary shutdown.

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 Wildlife Ref-  
5 uge Management Contingency Act of 1995”.

1 **SEC. 2. AUTHORITY OF SECRETARY OF THE INTERIOR TO**  
2 **ACCEPT STATE DONATIONS OF STATE EM-**  
3 **PLOYEE SERVICES TO PERFORM HUNTING**  
4 **MANAGEMENT FUNCTIONS.**

5 (a) IN GENERAL.—The Secretary shall accept from  
6 any qualified State donations of services of State employ-  
7 ees to perform in a National Wildlife Refuge, in a period  
8 of Government budgetary shutdown, hunting management  
9 functions otherwise authorized to be performed by Depart-  
10 ment of Interior personnel.

11 (b) LIMITATIONS.—An employee of a State may per-  
12 form functions under this section only—

13 (1) within areas of a National Wildlife Refuge  
14 that are located in the State; and

15 (2) in accordance with an agreement entered  
16 into by the Secretary and the Governor of the State  
17 under subsection (c).

18 (c) AGREEMENTS.—

19 (1) IN GENERAL.—For purposes of this section,  
20 the Secretary may enter into an agreement in ac-  
21 cordance with this subsection with the Governor of  
22 any State in which is located any part of a National  
23 Wildlife Refuge.

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

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

3 (i) provisions to ensure resource and  
4 visitor protection acceptable under the  
5 standards of the United States Fish and  
6 Wildlife Service;

7 (ii) adequate safety training;

8 (iii) knowledge of the terrain in which  
9 the individual will perform those functions;  
10 and

11 (iv) knowledge of and adherence to  
12 Federal regulations relating to those func-  
13 tions; and

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

17 (d) EXCLUSION FROM TREATMENT AS FEDERAL EM-  
18 PLOYEES.—A State employee who performs functions  
19 under this section shall not be treated as a Federal em-  
20 ployee for purposes of any Federal law relating to pay or  
21 benefits for Federal employees.

22 (e) DEFINITIONS.—In this section—

23 (1) the term “Government budgetary shut-  
24 down” means a period during which there are no

1 amounts available for the operation of the National  
2 Wildlife Refuge System, because of—

3 (A) a failure to enact an annual appropria-  
4 tions bill for the period for the Department of  
5 the Interior; and

6 (B) a failure to enact a bill (or joint reso-  
7 lution) continuing the availability of appropria-  
8 tions for the Department of the Interior for a  
9 temporary period pending the enactment of  
10 such an annual appropriations bill;

11 (2) the term “qualified State” means a State  
12 that has entered into an agreement with the Sec-  
13 retary in accordance with subsection (c); and

14 (3) the term “Secretary” means the Secretary  
15 of the Interior.

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