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Senate

S. 2190—VOLUNTEERING IN GOVERNMENT ACT OF 1982

(Introduced by Mr. SPECTER for himself and Mr. DURENBERGER.)

Mr. SPECTER. Mr. President, this morning I wish to introduce a bill relating to voluntarism.

Mr. President, the Independent Sector, a national forum to encourage giving, volunteering, and not-for-profit initiatives, estimates that the dollar value of time volunteered by Americans is now at a record high of over \$64 billion a year.

On January 26, President Reagan, in his state of the Union address, noted the administration's efforts "to mobilize the private sector—to bring thousands of Americans into a volunteer effort to help solve many of America's social problems." In fact, last year the President appointed a blue-ribbon President's Task Force on Private Initiatives. On December 2, 1981, he called on that task force "to help rediscover America—the America where rich tradition of generosity began with simple acts of neighbor caring for neighbor."

There is widespread interest in volunteering for public service. Nation's Cities Weekly on February 1 published a special supplement, "Voluntarism in the Cities." The Wall Street Journal recently carried a lead editorial on the subject.

I propose that we enlist a part of our enormous resource of talented American volunteer services in the Federal Government and its departments and agencies to supplement the services of paid employees.

Already, several such volunteer programs now exist in Federal agencies. A recent business newspaper headlined that "SBA May Rely More on Retired Executives." This Service Corps of Retired Executives, better known as SCORE, has proved to be a highly successful program of management assistance by retired executives.

The National Park Service, since 1968, has operated a successful volunteer program of park guides "to help visitors understand both the national and human history of an area." In fact, one need go no farther than Great Falls National Park to see these unpaid volunteers hard at work on weekends leading walks for park visitors on a variety of subjects ranging from nature study to geology. A single one-page application is all that is required to enroll. Even teenagers help at Great Falls.

The U.S. Forest Service was authorized to operate a similar program by Congress in 1972. The Service also seeks our retirees, professionals, housewives, students, and teenagers as volunteers. The Forest Service, in 1980, used volunteers in 10 major activities, whose service, converted to monetary value, amounted to over \$8 million. Forest Service officials advise that this program is now of growing importance to the Service, having increased in volunteers from 12,000 in 1979 to over 16,000 in 1981. These volunteers supplement and aid paid Federal employees; they do not replace them. They serve as hosts at camp-

grounds, provide mounted patrols in the back country, and help agency staffs in a variety of ways.

A British observer recently observed that "Americans are asking more and more of a Government they trust less and less." Increased volunteering in Government ranging from services in health clinics, prisons, and Federal hospitals to cutting and maintaining fire breaks in the forest would not only supplement existing public services, but would be enriching to the volunteers and the organizations participating. A better understanding of the problems of conducting public affairs would also be learned.

It is intended that the volunteers assisting under this act may supplement rather than replace the work of paid Government employees. The only cost would be for incidental expenses.

The Volunteering in Government Act of 1982 would authorize and encourage Federal and civilian agencies to seek out volunteers as individuals and through nonprofit organizations to supplement a variety of Government services.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDING OFFICER (Mr. STEVENS). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill is as follows:

S. 2190

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Volunteering in Government Act of 1982".

SEC. 2. The Congress finds that—

(1) many citizens with a wide range of expert abilities, both as individuals and as members of service organizations, are anxious to assist the Government help other citizens in many ways; and

(2) many citizens desiring to provide such assistance are frustrated because of uncertainty on how to assist.

SEC. 3. (a)(1) Notwithstanding section 3679(b) of the Revised Statutes, the head of each department or agency of the United States is authorized, without regard to the civil service classification laws, rules, or regulations and without compensation, to recruit, train, and accept the services of volunteers for or in aid of any activity of the respective department or agency which such department or agency head determines is appropriate for volunteer action. In determining activities appropriate for volunteer action under the preceding sentence, a head of a department or agency of the United States shall give priority, where applicable, to any activity relating to health clinics, maintenance of trails and related facilities in national parks and forests, schools, prisons, veterans services, customs or immigration centers, treatment centers, housing, financial counseling, emergency services, or law enforcement.

(2) The head of each department or agency of the United States is authorized to enter into an agreement with any volunteer organization which is a nonprofit corporation for the purpose of obtaining the services of such nonprofit corporation for any activity of the respective department or agency which such department or agency head determines is appropriate for volunteer action. Such agreement may include an agreement to lease a Federal structure at nominal expense if such nonprofit corporation agrees to maintain such structure at its own expense.

(3) No individual employed by a department or agency of the United States immediately before the date of enactment of this Act may be dismissed and no service-type contract in effect immediately before the date of enactment of this Act may be impaired as a result of the exercise of the authorities contained in this subsection.

(b) For purposes of subsection (a), the term "volunteers" includes individuals or corporations described in section 501(c)(3) of the Internal Revenue Code of 1954.

SEC. 4. The head of each department or agency of the United States is authorized to provide for expenses incidental to carrying out the activities described in section 3, including expenses for transportation, uniforms, lodging, and subsistence.

SEC. 5. (a) Except as otherwise provided in this section, a volunteer shall not be deemed a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits.

(b) For purposes of the tort claim provisions of title 28 of the United States Code, a volunteer under this Act shall be considered a Federal employee.

(c) For the purposes of subchapter I of chapter 81 of title 5 of the United States Code, relating to compensation to Federal employees for work injuries, volunteers under this Act shall be deemed civil employees of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, United States Code, and the provisions of that subchapter shall apply.

SEC. 6. Nothing in this Act may be construed as modifying or superseding any other provision of law relating to volunteer programs which is in effect immediately before the date of enactment of this Act.

SEC. 7. In carrying out the provisions of this Act, each head of a department or agency of the United States is authorized to use in any fiscal year not to exceed 1 percent of the funds appropriated for administrative or operating expenses of such department or agency for such fiscal year.

SEC. 8. On January 1 of each odd-numbered year, the Director of the Office of Personnel Management shall prepare and transmit a report to the Congress on the progress achieved in implementation of this Act.

Mr. DURENBERGER. Mr. President, it is a pleasure to join my distinguished colleague from Pennsylvania, Senator ARLEN SPECTER, in introducing legislation to permit and encourage the Federal Government to take advantage of the great resource of volunteer talent that exists in this country today.

Voluntarism has received tremendous attention in recent months, particularly as we have seen government and other institutions face the harsh reality of shrinking budgets and erosion in purchasing power brought on by that vicious thief, inflation.

But while it has become fashionable to recognize and even champion the cause of voluntarism as though it were a new phenomenon, the fact is that voluntarism is a tradition as old as our Nation. Our independence was won by volunteers; our most important social changes have come when volunteers recognized a need and started a reform movement; and during much of this

country's history, our most important public services have been provided by volunteers.

Our President has propelled the significance of voluntarism to the top of the national agenda, calling in his state of the Union address for a mobilization of the private sector "to bring thousands of Americans into a volunteer effort to help solve many of America's social problems."

I am proud to be a member of his Task Force on Private Sector Initiatives charged with the task of helping "rediscover America—the America where rich tradition of generosity began with simple acts of neighbor helping neighbor."

The irony of that discussion, however, and the reason why Senator SPECTER and I have cosponsored this bill, is evident: While many of us in and out of the Federal Government have long recognized and promoted the value of volunteers to achieving meaningful and significant social objectives—and have been quite able to document the benefits of voluntarism where it has been encouraged—Federal law, except for a few notable exceptions, has prohibited volunteers from participating in the myriad of worthwhile Federal programs that surely would benefit from the energy, talent, and enthusiasm that dedicated volunteers could apply to these social efforts.

While we increasingly prescribe voluntarism to other institutions as a way of building program strength and expanding services to our citizens, we have been reticent about accepting that prescription on behalf of the Federal Government itself. That, in my view, has been a mistake.

To be sure, the Federal Government in several significant ways has flirted over the years with encouraging voluntarism—and with notable success, I think.

Congress has authorized Federal dollars to support private volunteer efforts. It has, through the creation of Federal programs, seen the great satisfaction and rewards that can come from a Foster Grand Parents program, a Peace Corps, a Young Volunteers in ACTION, RSVP, and more. Through legislation, we have sought to encourage voluntarism with tax incentives.

What has been lacking is a willingness on the part of the Federal Government to accept, let alone encourage, the most important dynamic that voluntarism has to offer: The direct exchange between institution and eager, talented, and well-motivated citizens—the exchange of volunteers coming into partnership with government and government workers going out as volunteers in partnership with their communities. This bill addresses part of that exchange.

Many of my friends in the private sector increasingly recognize that the value of their contributions programs lie less in writing a check than in providing a personal exchange between talented members of their businesses and social institutions that benefit from their experience and expertise.

That same principle, in part, applies to what we hope to accomplish with this bill. The opportunity for exchange between talented volunteers and Federal workers in areas where those volunteers—without displacing the efforts of paid Government employees—can instead supplement their efforts for the greater good.

I am aware of only two Federal programs that permit volunteers to compliment the paid efforts of Federal employees. Both programs, which employ volunteers to work in our parks and forests, have been notable successes.

In the words of Adam Smith, we should view those experiments as happy experiences that worked. Having experimented and succeeded we would be foolish not to go on.

This legislation, Mr. President, is one step toward advancing that exchange of human talent. Bringing the volunteer in—we have now only to recognize and encourage the volunteer efforts of our own Federal employees to extend that exchange outward as well.