

Calendar No. 715

103D CONGRESS
2D SESSION

H. R. 3300

AN ACT

To amend the Act popularly known as the “Sikes Act” to enhance fish and wildlife conservation and natural resources management programs on military installations.

OCTOBER 5 (legislative day, SEPTEMBER 12), 1994

Reported without amendment

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 13 (legislative day, SEPTEMBER 12), 1994

Received; read twice and referred to the Committee on Environment and
Public Works

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Reported by Mr. BAUCUS without amendment

AN ACT

To amend the Act popularly known as the “Sikes Act”
to enhance fish and wildlife conservation and natural
resources management programs on military installa-
tions.

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 “Natural Resource
5 Management on Military Lands Act of 1994”.

1 **SEC. 2. AMENDMENT OF SIKES ACT.**

2 Except as otherwise expressly provided, whenever in
3 this Act an amendment or repeal is expressed in terms
4 of an amendment to, or repeal of, a section or other provi-
5 sion, the reference shall be considered to be made to a
6 section or other provision of title I of the Act entitled “An
7 Act to promote effectual planning, development, mainte-
8 nance, and coordination of wildlife, fish, and game con-
9 servation and rehabilitation in military reservations”, ap-
10 proved September 15, 1960 (16 U.S.C. 670a et seq.), com-
11 monly referred to, and in this Act referred to, as the
12 “Sikes Act”.

13 **SEC. 3. INTEGRATED NATURAL RESOURCE MANAGEMENT**
14 **PLANS FOR MILITARY INSTALLATIONS, GEN-**
15 **ERALLY.**

16 (a) IN GENERAL.—Section 101(a) (16 U.S.C.
17 670a(a)) is amended—

18 (1) by striking “is authorized to” and inserting
19 “shall”;

20 (2) by striking “in each military reservation in
21 accordance with a cooperative plan” and inserting
22 the following: “on military installations. Under the
23 program, the Secretary shall prepare and implement
24 for each military installation in the United States an
25 integrated natural resource management plan”; and

1 (3) by inserting after “reservation is located”
2 the following: “, except that the Secretary is not re-
3 quired to prepare such a plan for a military installa-
4 tion if the Secretary determines that preparation of
5 such a plan for the installation is not appropriate”.

6 (b) CONFORMING AMENDMENTS.—Title I, as amend-
7 ed by subsection (a) of this section, is further amended—

8 (1) in section 101(b) (16 U.S.C. 670a(b)) in
9 the matter preceding paragraph (1) by striking “co-
10 operative plan” and inserting “integrated natural re-
11 source management plan”;

12 (2) in section 101(b)(4) (16 U.S.C. 670a(b)(4))
13 by striking “cooperative plan” each place it appears
14 and inserting “integrated natural resource manage-
15 ment plan”;

16 (3) in section 101(c) (16 U.S.C. 670a(c)) in the
17 matter preceding paragraph (1) by striking “a coop-
18 erative plan” and inserting “an integrated natural
19 resource management plan”;

20 (4) in section 101(d) (16 U.S.C. 670a(d)) in
21 the matter preceding paragraph (1) by striking “co-
22 operative plans” and inserting “integrated natural
23 resource management plans”;

1 (5) in section 101(e) (16 U.S.C. 670a(e)) by
2 striking “Cooperative plans” and inserting “Inte-
3 grated natural resource management plans”;

4 (6) in section 102 (16 U.S.C. 670b) by striking
5 “a cooperative plan” and inserting “an integrated
6 natural resource management plan”;

7 (7) in section 103 (16 U.S.C. 670c) by striking
8 “a cooperative plan” and inserting “an integrated
9 natural resource management plan”;

10 (8) in section 106(a) (16 U.S.C. 670f(a)) by
11 striking “cooperative plans” and inserting “inte-
12 grated natural resource management plans”; and

13 (9) in section 106(c) (16 U.S.C. 670f(c)) by
14 striking “cooperative plans” and inserting “inte-
15 grated natural resource management plans”.

16 (c) CONTENTS OF PLANS.—Section 101(b) (16
17 U.S.C. 670a(b)) is amended—

18 (1) in paragraph (1)—

19 (A) in subparagraph (C) by striking “and”
20 after the semicolon;

21 (B) in subparagraph (D) by striking the
22 semicolon at the end and inserting a comma;
23 and

24 (C) by adding at the end the following:

1 “(E) wetland protection and restoration,
2 and wetland creation where necessary, for sup-
3 port of fish or wildlife,

4 “(F) consideration of conservation needs
5 for all biological communities, and

6 “(G) the establishment of specific natural
7 resource management goals, objectives, and
8 time-frames for proposed actions;”;

9 (2) by striking paragraph (3);

10 (3) by redesignating paragraph (2) as para-
11 graph (3);

12 (4) by inserting after paragraph (1) the follow-
13 ing:

14 “(2) shall for the military installation for which
15 it is prepared—

16 “(A) address the needs for fish and wildlife
17 management, land management, forest manage-
18 ment, and wildlife-oriented recreation;

19 “(B) ensure the integration of, and con-
20 sistency among, the various activities conducted
21 under the plan;

22 “(C) ensure that there is no net loss in the
23 capability of installation lands to support the
24 military mission of the installation;

11 “(F) provide for professional enforcement
12 of natural resource laws and regulations;” and
13 (5) in paragraph (4)(A) by striking “collect the
14 fees therfor,” and inserting “collect, spend, admin-
15 ister, and account for fees therefor,”.

18 “(f) PUBLIC COMMENT.—The Secretary of Defense
19 shall provide an opportunity for public comment on each
20 integrated natural resource management plan prepared
21 under subsection (a).”.

25 (a) REVIEW OF MILITARY INSTALLATIONS.—

1 (1) REVIEW.—The Secretary of each military
2 department shall, by not later than 9 months after
3 the date of the enactment of this Act—

4 (A) review each military installation in the
5 United States that is under the jurisdiction of
6 that Secretary to determine the military instal-
7 lations for which the preparation of an inte-
8 grated natural resource management plan
9 under section 101 of the Sikes Act, as amended
10 by this Act, is appropriate; and

11 (B) submit to the Secretary of Defense a
12 report on those determinations.

13 (2) REPORT TO CONGRESS.—The Secretary of
14 Defense shall, by not later than 12 months after the
15 date of the enactment of this Act, submit to the
16 Congress a report on the reviews conducted under
17 paragraph (1). The report shall include—

18 (A) a list of those military installations re-
19 viewed under paragraph (1) for which the Sec-
20 retary of Defense determines the preparation of
21 an integrated natural resource management
22 plan is not appropriate; and

23 (B) for each of the military installations
24 listed under subparagraph (A), an explanation
25 of the reasons such a plan is not appropriate.

1 (b) DEADLINE FOR INTEGRATED NATURAL RE-
2 SOURCE MANAGEMENT PLANS.—Not later than 2 years
3 after the date of the submission of the report required
4 under subsection (a)(2), the Secretary of Defense shall,
5 for each military installation for which the Secretary has
6 not determined under subsection (a)(2)(A) that prepara-
7 tion of an integrated natural resource management plan
8 is not appropriate—

9 (1) prepare and begin implementing such a plan
10 mutually agreed to by the Secretary of the Interior
11 and the head of the appropriate State agencies
12 under section 101(a) of the Sikes Act, as amended
13 by this Act; or

14 (2) in the case of a military installation for
15 which there is in effect a cooperative plan under sec-
16 tion 101(a) of the Sikes Act on the day before the
17 date of the enactment of this Act, complete negotia-
18 tions with the Secretary of the Interior and the
19 heads of the appropriate State agencies regarding
20 changes to that plan that are necessary for the plan
21 to constitute an integrated natural resource plan
22 that complies with that section, as amended by this
23 Act.

1 (c) PUBLIC COMMENT.—The Secretary of Defense
2 shall provide an opportunity for the submission of public
3 comments on—

4 (1) integrated natural resource management
5 plans proposed pursuant to subsection (b)(1); and

6 (2) changes to cooperative plans proposed pur-
7 suant to subsection (b)(2).

8 **SEC. 5. ANNUAL REVIEWS AND REPORTS.**

9 Section 101 (16 U.S.C. 670a) is further amended by
10 adding after subsection (f) (as added by section 3(d) of
11 this Act) the following:

12 “(g) REVIEWS AND REPORTS.—

13 “(1) SECRETARY OF DEFENSE.—The Secretary
14 of Defense shall, by not later than March 1 of each
15 year, review the extent to which integrated natural
16 resource management plans were prepared or in ef-
17 fect and implemented in accordance with this Act in
18 the preceding year, and submit a report on the find-
19 ings of that review to the committees. Each report
20 shall include—

21 “(A) the number of integrated natural re-
22 source management plans in effect in the year
23 covered by the report, including the date on
24 which each plan was issued in final form or
25 most recently revised;

1 “(B) the amount of moneys expended on
2 conservation activities conducted pursuant to
3 those plans in the year covered by the report,
4 including amounts expended under the Legacy
5 Resource Management Program established
6 under section 8120 of the Act of November 5,
7 1990 (Public Law 101–511; 104 Stat. 1905);
8 and

9 “(C) an assessment of the extent to which
10 the plans comply with the requirements of sub-
11 section (b) (1) and (2), including specifically
12 the extent to which the plans ensure in accord-
13 ance with subsection (b)(2)(C) that there is no
14 net loss of lands to support the military mis-
15 sions of military installations.

16 “(2) SECRETARY OF THE INTERIOR.—The Sec-
17 retary of the Interior, by not later than March 1 of
18 each year and in consultation with State agencies re-
19 sponsible for conservation or management of fish or
20 wildlife, shall submit a report to the committees on
21 the amount of moneys expended by the Department
22 of the Interior and those State agencies in the year
23 covered by the report on conservation activities con-
24 ducted pursuant to integrated natural resource man-
25 agement plans.

1 “(3) COMMITTEES DEFINED.—For purposes of
2 this subsection, the term ‘committees’ means the
3 Committees on Merchant Marine and Fisheries and
4 Armed Services of the House of Representatives and
5 the Committees on Armed Services and Environment
6 and Public Works of the Senate.”.

7 **SEC. 6. FEDERAL ENFORCEMENT OF INTEGRATED NATU-**
8 **RAL RESOURCE MANAGEMENT PLANS; EN-**
9 **FORCEMENT OF OTHER LAWS.**

10 Title I (16 U.S.C. 670a et seq.) is amended—

11 (1) by redesignating section 106 as section 110;

12 and

13 (2) by inserting after section 105 the following:

14 **“SEC. 106. FEDERAL ENFORCEMENT OF OTHER LAWS.**

15 “All Federal laws relating to the conservation of nat-
16 ural resources on Federal lands may be enforced by the
17 Secretary of Defense with respect to violations of those
18 laws which occur on military installations within the
19 United States.”.

20 **SEC. 7. NATURAL RESOURCE MANAGEMENT SERVICES.**

21 Title I (16 U.S.C. 670a et seq.) is amended by insert-
22 ing after section 106 (as added by section 6 of this Act)
23 the following:

1 **“SEC. 107. NATURAL RESOURCE MANAGEMENT SERVICES.**

2 “The Secretary of each military department shall en-
3 sure that sufficient numbers of professionally trained nat-
4 ural resource management personnel and natural resource
5 law enforcement personnel are available and assigned re-
6 sponsibility to perform tasks necessary to comply with this
7 Act, including the preparation and implementation of inte-
8 grated natural resource management plans.”.

9 **SEC. 8. DEFINITIONS.**

10 Title I (16 U.S.C. 670a et seq.) is further amended
11 by inserting after section 107 (as added by section 7 of
12 this Act) the following:

13 **“SEC. 108. DEFINITIONS.**

14 “In this title:

15 “(1) **MILITARY DEPARTMENT.**—The term ‘mili-
16 tary department’ means the Department of the
17 Army, the Department of the Navy, and the Depart-
18 ment of the Air Force.

19 “(2) **MILITARY INSTALLATION.**—The term
20 ‘military installation’—

21 “(A) means any land or interest in land
22 owned by the United States and administered
23 by the Secretary of Defense or the head of a
24 military department; and

25 “(B) includes all public lands withdrawn
26 from all forms of appropriation under public

1 land laws and reserved for use by the Secretary
2 of Defense or the head of a military depart-
3 ment.

4 “(3) STATE FISH AND WILDLIFE AGENCY.—The
5 term ‘State fish and wildlife agency’ means an agen-
6 cy of State government that is responsible under
7 State law for managing fish or wildlife resources.

8 “(4) UNITED STATES.—The term ‘United
9 States’ means the States, the District of Columbia,
10 the Commonwealth of Puerto Rico, and the terri-
11 tories and possessions of the United States.”.

12 **SEC. 9. SHORT TITLE.**

13 Title I (16 U.S.C. 670a et seq.) is further amended
14 by inserting after section 108 (as added by section 7 of
15 this Act) the following:

16 **“SEC. 109. SHORT TITLE.**

17 “This title may be cited as the ‘Sikes Act’.”.

18 **SEC. 10. COOPERATIVE AGREEMENTS.**

19 (a) COST SHARING.—Section 103a(b) (16 U.S.C.
20 670c–1(b)) is amended by striking “matching basis” each
21 place it appears and inserting “cost-sharing basis”.

22 (b) ACCOUNTING.—Section 103a(c) (16 U.S.C.
23 670c–1(c)) is amended by inserting before the period at
24 the end the following: “, and shall not be subject to section
25 1535 of that title”.

1 **SEC. 11. REPEAL.**

2 Section 2 of the Act of October 27, 1986 (Public Law
3 99–651; 16 U.S.C. 670a–1) is repealed.

4 **SEC. 12. CLERICAL AMENDMENTS.**

5 Title I, as amended by this Act, is further amended—

6 (1) in the heading for the title by striking
7 “MILITARY RESERVATIONS” and inserting “MILI-
8 TARY INSTALLATIONS”;

9 (2) in section 101(a) (16 U.S.C. 670a(a)) by
10 striking “the reservation” and inserting “the instal-
11 lation”;

12 (3) in section 101(b)(4) (16 U.S.C.
13 670a(b)(4))—

14 (A) in subparagraph (A) by striking “the
15 reservation” and inserting “the installation”;
16 and

17 (B) in subparagraph (B) by striking “the
18 military reservation” and inserting “the mili-
19 tary installation”;

20 (4) in section 101(c) (16 U.S.C. 670a(c))—

21 (A) in paragraph (1) by striking “a mili-
22 tary reservation” and inserting “a military in-
23 stallation”; and

24 (B) in paragraph (2) by striking “the res-
25 ervation” and inserting “the installation”;

8 (a) PROGRAMS ON MILITARY INSTALLATIONS.—Sub-
9 sections (b) and (c) of section 110 (as redesignated by
10 section 6 of this Act) are each amended by striking
11 “1983” and all that follows through “1993,” and inserting
12 “1994, 1995, 1996, and 1997,”.

(b) PROGRAMS ON PUBLIC LANDS.—Subsections (a) and (b) of section 209 (16 U.S.C. 670o (a) and (b)) are each amended by striking “1983” and all that follows through “1993,” and inserting “1994, 1995, 1996, and 1997,”.

Passed the House of Representatives September 12, 1994.

Attest: DONNALD K. ANDERSON,
Clerk.

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