

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3300

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## 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.

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;

1           “(D) provide for sustained use by the pub-  
 2           lic of natural resources, to the extent that such  
 3           use is not inconsistent with the military mission  
 4           of the installation or the needs of fish and wild-  
 5           life management;

6           “(E) provide the public access to the in-  
 7           stallation that is necessary or appropriate for  
 8           that use, to the extent that access is not incon-  
 9           sistent with the military mission of the installa-  
 10          tion; and

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,”.

16          (d) PUBLIC COMMENT.—Section 101 (16 U.S.C.  
 17          670a) is amended by adding at the end the following:

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).”.

22      **SEC. 4. REVIEW OF MILITARY INSTALLATIONS FOR PREPA-**  
 23                              **RATION OF INTEGRATED NATURAL RE-**  
 24                              **SOURCE MANAGEMENT PLANS.**

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”;

1 (5) in section 102 (16 U.S.C. 670b) by striking  
2 “military reservations” and inserting “military in-  
3 stallations”; and

4 (6) in section 103 (16 U.S.C. 670c) by striking  
5 “military reservations” and inserting “military in-  
6 stallations”.

7 **SEC. 13. AUTHORIZATIONS OF APPROPRIATIONS.**

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,”.

13 (b) PROGRAMS ON PUBLIC LANDS.—Subsections (a)  
14 and (b) of section 209 (16 U.S.C. 670o (a) and (b)) are  
15 each amended by striking “1983” and all that follows  
16 through “1993,” and inserting “1994, 1995, 1996, and  
17 1997,”.

Passed the House of Representatives September 12,  
1994.

Attest:

*Clerk.*

103D CONGRESS  
2D SESSION

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## 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.