

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1141

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

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 1995

Mr. YOUNG of Alaska (for himself, Mr. SAXTON, and Mr. STUDDS) introduced the following bill; which was referred to the Committee on Resources

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## A BILL

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

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 “Sikes Act Improvement  
5       Amendments of 1995”.

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

7       Except as otherwise expressly provided, whenever in  
8       this Act an amendment or repeal is expressed in terms  
9       of an amendment to, or repeal of, a section or other provi-  
10      sion, the reference shall be considered to be made to a

1 section or other provision of title I of the Act entitled “An  
2 Act to promote effectual planning, development, mainte-  
3 nance, and coordination of wildlife, fish, and game con-  
4 servation and rehabilitation in military reservations”, ap-  
5 proved September 15, 1960 (16 U.S.C. 670a et seq.), com-  
6 monly referred to, and in this Act referred to, as the  
7 “Sikes Act”.

8 **SEC. 3. INTEGRATED NATURAL RESOURCE MANAGEMENT**  
9 **PLANS GENERALLY.**

10 (a) IN GENERAL.—Section 101(a) (16 U.S.C.  
11 670a(a)) is amended—

12 (1) by striking “is authorized to” and inserting  
13 “shall”;

14 (2) by striking “in each military reservation in  
15 accordance with a cooperative plan” and inserting  
16 the following: “on military installations. Under the  
17 program, the Secretary shall prepare and implement  
18 for each military installation in the United States an  
19 integrated natural resource management plan”; and

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

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

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

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

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

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

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

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

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

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

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

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

12           (1) in paragraph (1)—

13                   (A) in subparagraph (C) by striking “and”  
14                   after the semicolon;

15                   (B) in subparagraph (D) by striking the  
16                   semicolon at the end and inserting a comma;  
17                   and

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

19                           “(E) wetland protection and restoration,  
20                           and wetland creation where necessary, for sup-  
21                           port of fish or wildlife,

22                           “(F) consideration of conservation needs  
23                           for all biological communities, and

1           “(G) the establishment of specific natural  
2           resource management goals, objectives, and  
3           time-frames for proposed actions;”;

4           (2) by striking paragraph (3);

5           (3) by redesignating paragraph (2) as para-  
6           graph (3);

7           (4) by inserting after paragraph (1) the follow-  
8           ing:

9           “(2) shall for the military installation for which  
10          it is prepared—

11           “(A) address the needs for fish and wildlife  
12           management, land management, forest manage-  
13           ment, and wildlife-oriented recreation;

14           “(B) ensure the integration of, and con-  
15           sistency among, the various activities conducted  
16           under the plan;

17           “(C) ensure that there is no net loss in the  
18           capability of installation lands to support the  
19           military mission of the installation;

20           “(D) provide for sustained use by the pub-  
21           lic of natural resources, to the extent that such  
22           use is not inconsistent with the military mission  
23           of the installation or the needs of fish and wild-  
24           life management;



1           lations for which the preparation of an inte-  
2           grated natural resource management plan  
3           under section 101 of the Sikes Act, as amended  
4           by this Act, is appropriate; and

5                   (B) submit to the Secretary of Defense a  
6           report on those determinations.

7           (2) REPORT TO CONGRESS.—The Secretary of  
8           Defense shall, by not later than 12 months after the  
9           date of the enactment of this Act, submit to the  
10          Congress a report on the reviews conducted under  
11          paragraph (1). The report shall include—

12                   (A) a list of those military installations re-  
13          viewed under paragraph (1) for which the Sec-  
14          retary of Defense determines the preparation of  
15          an integrated natural resource management  
16          plan is not appropriate; and

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

20          (b) DEADLINE FOR INTEGRATED NATURAL RE-  
21          SOURCE MANAGEMENT PLANS.—Not later than 2 years  
22          after the date of the submission of the report required  
23          under subsection (a)(2), the Secretary of Defense shall,  
24          for each military installation for which the Secretary has  
25          not determined under subsection (a)(2)(A) that prepara-

1 tion of an integrated natural resource management plan  
2 is not appropriate—

3 (1) prepare and begin implementing such a plan  
4 mutually agreed to by the Secretary of the Interior  
5 and the head of the appropriate State agencies  
6 under section 101(a) of the Sikes Act, as amended  
7 by this Act; or

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

18 (c) PUBLIC COMMENT.—The Secretary of Defense  
19 shall provide an opportunity for the submission of public  
20 comments on—

21 (1) integrated natural resource management  
22 plans proposed pursuant to subsection (b)(1); and

23 (2) changes to cooperative plans proposed pur-  
24 suant to subsection (b)(2).

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

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

5 “(g) **REVIEWS AND REPORTS.**—

6 “(1) **SECRETARY OF DEFENSE.**—The Secretary  
7 of Defense shall, by not later than March 1 of each  
8 year, review the extent to which integrated natural  
9 resource management plans were prepared or in ef-  
10 fect and implemented in accordance with this Act in  
11 the preceding year, and submit a report on the find-  
12 ings of that review to the committees. Each report  
13 shall include—

14 “(A) the number of integrated natural re-  
15 source management plans in effect in the year  
16 covered by the report, including the date on  
17 which each plan was issued in final form or  
18 most recently revised;

19 “(B) the amount of moneys expended on  
20 conservation activities conducted pursuant to  
21 those plans in the year covered by the report,  
22 including amounts expended under the Legacy  
23 Resource Management Program established  
24 under section 8120 of the Act of November 5,  
25 1990 (Public Law 101–511; 104 Stat. 1905);  
26 and

1           “(C) an assessment of the extent to which  
2           the plans comply with the requirements of sub-  
3           section (b) (1) and (2), including specifically  
4           the extent to which the plans ensure in accord-  
5           ance with subsection (b)(2)(C) that there is no  
6           net loss of lands to support the military mis-  
7           sions of military installations.

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

18          “(3) COMMITTEES DEFINED.—For purposes of  
19          this subsection, the term ‘committees’ means the  
20          Committees on Resources and National Security of  
21          the House of Representatives and the Committees  
22          on Armed Services and Environment and Public  
23          Works of the Senate.”.

1 **SEC. 6. FEDERAL ENFORCEMENT OF INTEGRATED NATU-**  
2 **RAL RESOURCE MANAGEMENT PLANS; EN-**  
3 **FORCEMENT OF OTHER LAWS.**

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

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

6 and

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

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

9 “All Federal laws relating to the conservation of nat-  
10 ural resources on Federal lands may be enforced by the  
11 Secretary of Defense with respect to violations of those  
12 laws which occur on military installations within the  
13 United States.”.

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

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

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

19 “The Secretary of each military department shall en-  
20 sure that sufficient numbers of professionally trained nat-  
21 ural resource management personnel and natural resource  
22 law enforcement personnel are available and assigned re-  
23 sponsibility to perform tasks necessary to comply with this  
24 Act, including the preparation and implementation of inte-  
25 grated natural resource management plans.”.

1 **SEC. 8. DEFINITIONS.**

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

5 **“SEC. 108. DEFINITIONS.**

6 “In this title:

7 “(1) **MILITARY DEPARTMENT.**—The term ‘mili-  
8 tary department’ means the Department of the  
9 Army, the Department of the Navy, and the Depart-  
10 ment of the Air Force.

11 “(2) **MILITARY INSTALLATION.**—The term  
12 ‘military installation’—

13 “(A) means any land or interest in land  
14 owned by the United States and administered  
15 by the Secretary of Defense or the head of a  
16 military department; and

17 “(B) includes all public lands withdrawn  
18 from all forms of appropriation under public  
19 land laws and reserved for use by the Secretary  
20 of Defense or the head of a military depart-  
21 ment.

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

1           “(4) UNITED STATES.—The term ‘United  
2 States’ means the States, the District of Columbia,  
3 and the territories and possessions of the United  
4 States.”.

5 **SEC. 9. SHORT TITLE.**

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

9 **“SEC. 109. SHORT TITLE.**

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

11 **SEC. 10. COOPERATIVE AGREEMENTS.**

12           (a) COST SHARING.—Section 103a(b) (16 U.S.C.  
13 670c–1(b)) is amended by striking “matching basis” each  
14 place it appears and inserting “cost-sharing basis”.

15           (b) ACCOUNTING.—Section 103a(c) (16 U.S.C.  
16 670c–1(c)) is amended by inserting before the period at  
17 the end the following: “, and shall not be subject to section  
18 1535 of that title”.

19 **SEC. 11. REPEAL.**

20 Section 2 of the Act of October 27, 1986 (Public Law  
21 99–651; 16 U.S.C. 670a–1) is repealed.

22 **SEC. 12. CLERICAL AMENDMENTS.**

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

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

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

7 (3) in section 101(b)(4) (16 U.S.C.  
8 670a(b)(4))—

9 (A) in subparagraph (A) by striking “the  
10 reservation” and inserting “the installation”;  
11 and

12 (B) in subparagraph (B) by striking “the  
13 military reservation” and inserting “the mili-  
14 tary installation”;

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

16 (A) in paragraph (1) by striking “a mili-  
17 tary reservation” and inserting “a military in-  
18 stallation”; and

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

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

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

4   **SEC. 13. AUTHORIZATIONS OF APPROPRIATIONS.**

5           (a) PROGRAMS ON MILITARY INSTALLATIONS.—Sub-  
6           sections (b) and (c) of section 110 (as redesignated by  
7           section 6 of this Act) are each amended by striking  
8           “1983” and all that follows through “1993,” and inserting  
9           “1995, 1996, 1997, and 1998,”.

10          (b) PROGRAMS ON PUBLIC LANDS.—Subsections (a)  
11          and (b) of section 209 (16 U.S.C. 670o (a) and (b)) are  
12          each amended by striking “1983” and all that follows  
13          through “1993,” and inserting “1995, 1996, 1997, and  
14          1998,”.

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