

106TH CONGRESS  
2D SESSION

# H. R. 5651

To convey certain Federal lands to the Commonwealth of Puerto Rico, and  
for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 8, 2000

Mr. ROMERO-BARCELO introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To convey certain Federal lands to the Commonwealth of  
Puerto Rico, and for other purposes.

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. CONVEYANCE OF FEDERAL LANDS.**

4       All right, title and interest of the United States in  
5       and to those lands designated for transfer, or transferred,  
6       to the Secretary of the Interior pursuant to section 1508  
7       of title XV of Public Law 106–398 shall be conveyed,  
8       without consideration, to the Commonwealth of Puerto  
9       Rico.

1 **SEC. 2. MANAGEMENT OF CONVEYED LANDS.**

2 (a) COOPERATIVE AGREEMENT.—

3 (1) Those areas conveyed to the Commonwealth  
4 of Puerto Rico pursuant to section 1 shall be man-  
5 aged for conservation purposes subject to a coopera-  
6 tive agreement between the Commonwealth of Puer-  
7 to Rico and the Secretary of the Interior.

8 (2) Areas adjacent to the areas conveyed to the  
9 Commonwealth of Puerto Rico pursuant to section 1  
10 shall be considered for inclusion under the coopera-  
11 tive agreement. Adjacent areas to be included under  
12 the cooperative agreement shall be mutually agreed  
13 to by the Commonwealth of Puerto Rico and the  
14 Secretary of the Interior. This determination of in-  
15 clusion of lands shall be incorporated into the coop-  
16 erative agreement process as set forth in paragraph  
17 (1).

18 (3) The cooperative agreement referenced in  
19 this subsection shall be implemented in cooperation  
20 with the Puerto Rico Conservation Trust and other  
21 interested parties.

22 (b) COOPERATIVE AGREEMENT.—

23 (1) PURPOSES.—All lands subject to the coop-  
24 erative agreement required by subsection (a) shall be  
25 managed to protect and preserve the natural re-  
26 sources of these lands in perpetuity. Consistent with

1 the provisions of this subsection, the Commonwealth  
2 of Puerto Rico, and the Secretary of the Interior  
3 shall comply with all applicable Federal environ-  
4 mental laws, including the National Environmental  
5 Policy Act of 1969, the Endangered Species Act of  
6 1973, and the National Historic Preservation Act.

7 (2) TIMING.—The cooperative agreement shall  
8 be completed not later than 120 days after the en-  
9 actment of this Act. The Commonwealth of Puerto  
10 Rico shall implement the terms and conditions of the  
11 cooperative agreement, which can only be amended  
12 by agreement of the Commonwealth of Puerto Rico  
13 and the Secretary of the Interior.

14 (c) ROLE OF NATIONAL FISH AND WILDLIFE FOUN-  
15 DATION.—Contingent on funds being available specifically  
16 for the preservation and protection of natural resources  
17 on the lands referred to in section 1, amounts necessary  
18 to carry out the cooperative agreement may be made avail-  
19 able to the National Fish and Wildlife Foundation to es-  
20 tablish and manage an endowment for the management  
21 of lands conveyed to the Commonwealth of Puerto Rico  
22 and subject to the cooperative agreement. The proceeds  
23 from investment of the endowment shall be available on  
24 an annual basis. The Foundation shall strive to leverage

1 annual proceeds with non-Federal funds to the fullest ex-  
2 tent possible.

3 **SEC. 3. CONTINUED DEPARTMENT OF DEFENSE RESPONSI-**  
4 **BILITY.**

5 Federal responsibility to fund and implement any  
6 necessary response actions (including operation and main-  
7 tenance) to address environmental contamination result-  
8 ing from the acts, omissions or presence of the Depart-  
9 ment of Defense or which is present at the time of any  
10 conveyance by the Secretary of the Navy to the Secretary  
11 of the Interior pursuant to title XV of Public Law 106-  
12 398 (including contamination subsequently discovered) or  
13 which is present at the time of conveyance by the Sec-  
14 retary of the Navy to the Commonwealth of Puerto Rico  
15 pursuant to this Act (including contamination subse-  
16 quently discovered), shall be the exclusive responsibility of  
17 the Secretary of Defense, and not the responsibility of the  
18 Secretary of the Interior or the Commonwealth of Puerto  
19 Rico, unless such contamination was caused or contributed  
20 to by the Department of the Interior or the Common-  
21 wealth of Puerto Rico. With respect to the conveyance im-  
22 plemented pursuant to section 1, the Secretary of Defense  
23 shall have the responsibility, on behalf of the United  
24 States, to comply with the requirements of section 120(h)  
25 of the Comprehensive Environmental Response, Com-

1 pension and Liability Act, as amended. The Common-  
2 wealth of Puerto Rico and the Department of the Interior  
3 shall provide the Department of Defense with access to  
4 the property as may be required to carry out its obliga-  
5 tions or to satisfy the liability of the United States. Any  
6 response actions carried out by the Secretary of Defense  
7 shall be conducted subject to and in compliance with envi-  
8 ronmental laws, including but not limited to CERCLA (42  
9 U.S.C. 6901 et seq.), and undertaken in a manner con-  
10 sistent with the conservation and natural resources uses  
11 and mission for the property.

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