104TH CONGRESS, 1st Session } HOUSE OF REPRESENTATIVES { REPT. 104–107 Part 2

SIKES ACT IMPROVEMENT AMENDMENTS OF 1995

JUNE 1, 1995.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. SPENCE, from the Committee on National Security, submitted the following

R E P O R T

[To accompany H.R. 1141]

[Including cost estimate of the Congressional Budget Office]

The Committee on National Security, to whom was referred the bill (H.R. 1141) to amend the Act popularly known as the "Sikes Act" to enhance fish and wildlife conservation and natural resources management programs, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sikes Act Improvement Amendments of 1995".

SEC. 2. AMENDMENT OF SIKES ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Act entitled "An Act to promote effectual planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation in military reservations", approved September 15, 1960 (16 U.S.C. 670a et seq.), commonly referred to, and in this Act referred to, as the "Sikes Act".

SEC. 3. INTEGRATED NATURAL RESOURCE MANAGEMENT PLANS GENERALLY.

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

(1) by striking "is authorized to" and inserting "shall";

(2) by striking "in each military reservation in accordance with a cooperative plan" and inserting the following: "on military installations. Under the program,

the Secretary shall prepare and implement for each military installation in the United States an integrated natural resource management plan";

(3) by inserting after "reservation is located" the following: ", except that the Secretary is not required to prepare such a plan for a military installation if the Secretary determines that preparation of such a plan for the installation is not appropriate"; and

(4) by inserting "(1)" after "(a)", and adding at the end the following new paragraph:

"(2) Consistent with essential military requirements to enhance the national security of the United States, the Secretary of Defense shall manage each military installation to provide—

"(A) for the conservation of fish and wildlife on the military installation and sustained multipurpose uses of those resources, including hunting, fishing, and trapping; and

"(B) public access that is necessary or appropriate for those uses.".

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

(1) in section 101(b) (16 U.S.C. 670a(b)) in the matter preceding paragraph (1) by striking "cooperative plan" and inserting "integrated natural resource management plan";

(2) in section 101(b)(4) (16 U.S.C. 670a(b)(4)) by striking "cooperative plan" each place it appears and inserting "integrated natural resource management plan";

(3) in section 101(c) (16 U.S.C. 670a(c)) in the matter preceding paragraph (1) by striking "a cooperative plan" and inserting "an integrated natural resource management plan";

(4) in section 101(d) (16 U.S.C. 670a(d)) in the matter preceding paragraph (1) by striking "cooperative plans" and inserting "integrated natural resource management plans";

(5) in section 101(e) (16 U.S.C. 670a(e)) by striking "Cooperative plans" and inserting "Integrated natural resource management plans";

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

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

(8) in section 106(a) (16 U.S.C. 670f(a)) by striking "cooperative plans" and inserting "integrated natural resource management plans"; and

(9) in section 106(c) (16 U.S.C. 670f(c)) by striking "cooperative plans" and inserting "integrated natural resource management plans".

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

(1) in paragraph (1)—

(A) in subparagraph (C) by striking "and" after the semicolon;

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

(C) by adding at the end the following:

"(E) wetland protection and restoration, and wetland creation where necessary, for support of fish or wildlife,

"(F) consideration of conservation needs for all biological communities, and

"(G) the establishment of specific natural resource management goals, objectives, and time-frames for proposed actions;";

(2) by striking paragraph (3);

(3) by redesignating paragraph (2) as paragraph (3);

(4) by inserting after paragraph (1) the following:

"(2) shall for the military installation for which it is prepared—

"(A) address the needs for fish and wildlife management, land management, forest management, and wildlife-oriented recreation;

"(B) ensure the integration of, and consistency among, the various activities conducted under the plan;

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

"(D) provide for sustained use by the public of natural resources, to the extent that such use is not inconsistent with the military mission of the installation or the needs of fish and wildlife management;

"(E) provide the public access to the installation that is necessary or appropriate for that use, to the extent that access is not inconsistent with the military mission of the installation; and

"(F) provide for professional enforcement of natural resource laws and regulations;"; and

(5) in paragraph (4)(A) by striking "collect the fees therfor," and inserting "collect, spend, administer, and account for fees therefor,".

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

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

SEC. 4. REVIEW FOR PREPARATION OF INTEGRATED NATURAL RESOURCE MANAGEMENT PLANS.

(a) REVIEW OF MILITARY INSTALLATIONS.—

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

(A) review each military installation in the United States that is under the jurisdiction of that Secretary to determine the military installations for which the preparation of an integrated natural resource management plan under section 101 of the Sikes Act, as amended by this Act, is appropriate; and

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

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

(A) a list of those military installations reviewed under paragraph (1) for which the Secretary of Defense determines the preparation of an integrated natural resource management plan is not appropriate; and

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

(b) DEADLINE FOR INTEGRATED NATURAL RESOURCE MANAGEMENT PLANS.—Not later than 2 years after the date of the submission of the report required under subsection (a)(2), the Secretary of Defense shall, for each military installation for which the Secretary has not determined under subsection (a)(2)(A) that preparation of an integrated natural resource management plan is not appropriate—

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

(2) in the case of a military installation for which there is in effect a cooperative plan under section 101(a) of the Sikes Act on the day before the date of the enactment of this Act, complete negotiations with the Secretary of the Interior and the heads of the appropriate State agencies regarding changes to that plan that are necessary for the plan to constitute an integrated natural resource plan that complies with that section, as amended by this Act.

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

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

(2) changes to cooperative plans proposed pursuant to subsection (b)(2).

SEC. 5. ANNUAL REVIEWS AND REPORTS.

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

"(g) REVIEWS AND REPORTS.—

"(1) SECRETARY OF DEFENSE.—The Secretary of Defense shall, by not later than March 1 of each year, review the extent to which integrated natural resource management plans were prepared or in effect and implemented in accordance with this Act in the preceding year, and submit a report on the findings of that review to the committees. Each report shall include—

"(A) the number of integrated natural resource management plans in effect in the year covered by the report, including the date on which each plan was issued in final form or most recently revised;

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

"(C) an assessment of the extent to which the plans comply with the requirements of subsection (b)(1) and (2), including specifically the extent to

which the plans ensure in accordance with subsection (b)(2)(C) that there is no net loss of lands to support the military missions of military installations.

"(2) SECRETARY OF THE INTERIOR.—The Secretary of the Interior, by not later than March 1 of each year and in consultation with State agencies responsible for conservation or management of fish or wildlife, shall submit a report to the committees on the amount of moneys expended by the Department of the Interior and those State agencies in the year covered by the report on conservation activities conducted pursuant to integrated natural resource management plans.

"(3) COMMITTEES DEFINED.—For purposes of this subsection, the term 'committees' means the Committees on Resources and National Security of the House of Representatives and the Committees on Armed Services and Environment and Public Works of the Senate.".

SEC. 6. FEDERAL ENFORCEMENT OF INTEGRATED NATURAL RESOURCE MANAGEMENT PLANS; ENFORCEMENT OF OTHER LAWS.

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

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

(2) by inserting after section 105 the following:

"SEC. 106. FEDERAL ENFORCEMENT OF OTHER LAWS.

"All Federal laws relating to the conservation of natural resources on Federal lands may be enforced by the Secretary of Defense with respect to violations of those laws which occur on military installations within the United States.".

SEC. 7. NATURAL RESOURCE MANAGEMENT SERVICES.

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

"SEC. 107. NATURAL RESOURCE MANAGEMENT SERVICES.

"The Secretary of each military department shall ensure that sufficient numbers of professionally trained natural resource management personnel and natural resource law enforcement personnel are available and assigned responsibility to perform tasks necessary to comply with this Act, including the preparation and implementation of integrated natural resource management plans.".

SEC. 8. DEFINITIONS.

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

"SEC. 108. DEFINITIONS.

"In this title:

"(1) MILITARY DEPARTMENT.—The term 'military department' means the Department of the Army, the Department of the Navy, and the Department of the Air Force.

"(2) MILITARY INSTALLATION.—The term 'military installation'—

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

"(B) includes all public lands withdrawn from all forms of appropriation under public land laws and reserved for use by the Secretary of Defense or the head of a military department.

"(3) STATE FISH AND WILDLIFE AGENCY.—The term 'State fish and wildlife agency' means an agency of State government that is responsible under State law for managing fish or wildlife resources.

"(4) UNITED STATES.—The term 'United States' means the States, the District of Columbia, and the territories and possessions of the United States.".

SEC. 9. SHORT TITLE.

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

"SEC. 109. SHORT TITLE.

"This title may be cited as the 'Sikes Act'.".

SEC. 10. COOPERATIVE AGREEMENTS.

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

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

SEC. 11. REPEAL.

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

SEC. 12. CLERICAL AMENDMENTS.

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

(1) in the heading for the title by striking "MILITARY RESERVATIONS" and inserting "MILITARY INSTALLATIONS";

(2) in section 101(a) (16 U.S.C. 670a(a)) by striking "the reservation" and inserting "the installation";

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

(A) in subparagraph (A) by striking "the reservation" and inserting "the installation"; and

(B) in subparagraph (B) by striking "the military reservation" and inserting "the military installation";

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

(A) in paragraph (1) by striking "a military reservation" and inserting "a military installation"; and

(B) in paragraph (2) by striking "the reservation" and inserting "the installation";

(5) in section 102 (16 U.S.C. 670b) by striking "military reservations" and inserting "military installations"; and

(6) in section 103 (16 U.S.C. 670c) by striking "military reservations" and inserting "military installations".

SEC. 13. AUTHORIZATIONS OF APPROPRIATIONS.

(a) PROGRAMS ON MILITARY INSTALLATIONS.—Subsections (b) and (c) of section 110 (as redesignated by section 6 of this Act) are each amended by striking "1983" and all that follows through "1993," and inserting "1995, 1996, 1997, and 1998,".

(b) PROGRAMS ON PUBLIC LANDS.—Section 209 (16 U.S.C. 670o) is amended—

(1) in subsection (a), by striking "the sum of $10,000,000" and all that follows through "to enable the Secretary of the Interior" and inserting "$4,000,000 for each of fiscal years 1995, 1996, 1997, and 1998, to enable the Secretary of the Interior"; and

(2) in subsection (b), by striking "the sum of $12,000,000" and all that follows through "to enable the Secretary of Agriculture" and inserting "$5,000,000 for each of fiscal years 1995, 1996, 1997, and 1998, to enable the Secretary of Agriculture".

PURPOSE AND SUMMARY

The purpose of H.R. 1141 is to amend the Act popularly known as the "Sikes Act" to enhance fish and wildlife conservation and natural resources management programs on military installations. The bill also authorizes appropriations for titles I and II of the Act through fiscal year 1998.

BACKGROUND

The Sikes Act was enacted by Congress in 1960 and amended in 1968, 1974, 1978, 1982, and 1986. Hearings were held in the 103rd Congress by the House Merchant Marine and Fisheries Committee and a reauthorization bill, H.R. 3300, passed the House of Representatives on September 12, 1994, but no action on the bill was taken in the United States Senate before the end of the 103rd Congress.

The Sikes Act originally authorized the Secretary of Defense to implement on military lands natural resource management plans mutually agreed upon by the Secretary of Defense, the Secretary of the Interior, and the appropriate State agency where the military installation is located. In 1968 the Act authorized appropriations for the first time to the Secretaries of Defense and Interior to carry out the purposes of the Act, and the Act was broadened

to include public outdoor recreation programs on military installations. Congress amended the Act again in 1974 to require that the plans provide for fish and wildlife habitat management, range rehabilitation, and the control of off-road vehicle traffic. In 1982 the Act was amended to provide adequate protection for threatened and endangered species of fish, wildlife, and plants. The Act was most recently amended in 1986 to require that the Department of Defense (DOD): (1) utilize a State/Federal cooperative plan as the fish and wildlife component of each multi-use natural resource plan; (2) use professionals trained in fish and wildlife management; and (3) regularly review the fish and wildlife plans.

DOD manages nearly 25 million acres of fish and wildlife habitat on approximately 900 military installations in the United States. In addition, the National Guard and Reserve components manage approximately one million acres on over 80 sites in 54 States and Territories. These lands are vital for defense purposes and also contain valuable natural resources. The Sikes Act provides a mechanism for cooperative wildlife management on these military installations. Specifically, the Act authorizes the Secretary of Defense, pursuant to a "cooperative plan" with the Secretary of the Interior and appropriate State fish and wildlife agencies, to carry out a program to plan, develop, maintain, and coordinate fish and wildlife conservation efforts on lands managed by DOD.

Although current DOD regulations stipulate that fish and wildlife management plans be maintained for military installations where appropriate, natural resource management as envisioned in the Sikes Act is far from a reality on many military installations. Unlike many other environmental laws that affect DOD, failure to comply with the Sikes Act does not carry any penalties. As a result, resource management plans are not being fully prepared or implemented as envisioned in current law at some military installations. In some cases, resource management plans have not been properly coordinated with an installation's military mission, which has led to a diminution of the ability of the lands' suitability for military training.

The committee is concerned about the often haphazard application of current law by the Department of Defense. This legislation will make a number of improvements in the Sikes Act which should result in improved conservation, enhancement, and utilization of vital fish, wildlife, and other natural resources that exist on military installations while ensuring the continuation of crucial military operations.

LEGISLATIVE HISTORY

H.R. 1141 was introduced on March 6, 1996 by Congressmen Don Young, Jim Saxton, and Gerry Studds and was referred to the Committee on Resources. On March 16, 1995 the Subcommittee on Fisheries, Wildlife and Oceans held a hearing on H.R. 1141. On March 30, 1995 the subcommittee considered H.R. 1141. An amendment was offered to ensure that the Secretary of Defense shall manage each installation to provide for the conservation of fish and wildlife, to allow multi-purpose uses of those resources, and to reduce by 50 percent certain authorization levels for the Department of Agriculture and Interior in the bill. This amendment

was adopted by voice vote. The bill, as amended, was then approved by voice vote.

The Committee on Resources met on April 5, 1995 to consider H.R. 1141. An amendment to restore the separate authorization of appropriations for programs on military installations that was inadvertently deleted by the Subcommittee on Fisheries, Wildlife and Oceans was adopted by voice vote. No other amendments were offered, and the bill as amended, a quorum being present, was then ordered favorably reported to the House.

The Committee on National Security requested sequential referral of H.R. 1141, which was granted on May 1, 1995. On May 17, 1995 the Subcommittee on Military Installations and Facilities met to consider H.R. 1141, as amended by the Committee on Resources. The subcommittee approved an amendment in the nature of a substitute to H.R. 1141 incorporating the amendments adopted by the Committee on Resources.

On May 24, 1995 the Committee on National Security agreed by voice vote to favorably report H.R. 1141, as amended, to the House.

DEPARTMENTAL POSITION

The committee understands the Department of Defense supports H.R. 1141

COMMITTEE POSITION

On May 24, 1995, the Committee on National Security, a quorum being present, approved H.R. 1141, as amended, by voice vote.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

In compliance with clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives, the cost estimate prepared by the Congressional Budget Office and submitted pursuant to section 403 of the Congressional Budget Act of 1974 is as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 31, 1995.

Hon. FLOYD D. SPENCE,
Chairman, Committee on National Security
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN:

The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1141, the Sikes Act Improvement Amendments of 1995

Enacting H.R. 1141 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JUNE E. O'NEILL,
Director.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 1141.

2. Bill title: Sikes Act Improvement Amendments of 1995.

3. Bill status: As ordered reported by the House Committee on National Security on May 24, 1995.

4. Bill purpose: H.R. 1141 would reauthorize wildlife management programs carried out on military reservations and other public lands under the Sikes Act. For each of fiscal years 1995 through 1998, the bill would authorize appropriations of $13.5 million for this purpose, allocating $1.5 million to the Department of Defense, $7 million to the Department to the Interior, and $5 million to the Department of Agriculture.

Other provisions of H.R. 1141 would amend various provisions of the Sikes Act, with no significant budget impact.

5. Estimated cost to the Federal Government: Assuming that H.R. 1141 is enacted in fiscal year 1995 and that the full amounts authorized for each fiscal year are appropriated, $13.5 million a year would be provided for Sikes Act programs through 1998. Outlays have been estimated on the basis of historical spending for similar programs.

[By fiscal year, in millions of dollars]

	1995	1996	1997	1998	1999	2000
Authorization of appropriations	13.5	13.5	13.5	13.5	.....	.....
Estimated outlays	0	13.5	13.5	13.5	10.1	3.4

The costs of this bill fall within budget function 300.

6. Comparison with spending under current law: No funds have ever been appropriated specifically for Sikes Act programs, although agencies do receive funds under several other authorizing statutes for similar activities.

7. Pay-as-you-go considerations: None.

8. Estimated cost to State and local governments: None.

9. Estimate Comparison: None.

10. Previous CBO estimate: On April 6, 1995, CBO prepared an estimate for H.R. 1141 as ordered reported by the House Committee on Resources on April 5, 1995. The two estimates are identical.

11. Estimate prepared by: Deborah Reis.

12. Estimate approved by: Paul N. Van de Water, Assistant Director for Budget Analysis.

COMMITTEE COST ESTIMATE

The committee generally concurs with the estimate as contained in the report of the Congressional Budget Office.

INFLATION IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the committee concludes that the bill would have no significant inflationary impact.

OVERSIGHT FINDINGS

With reference to clause 2(l)(3)(A) of rule XI of the Rules of the House of Representatives, this legislation results from hearings and other oversight activities conducted by the committee pursuant to clause 2(b)(1) of rule X.

With respect to clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives, this legislation does not include any new budget, spending, or credit authority, nor does it provide for any increase or decrease in tax revenues or expenditures.

With respect to clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the committee has not received a report from the Committee on Government Reform and Oversight pertaining to the subject matter of H.R. 1141.

ROLL CALL VOTES

In accordance with clause 2(l)(2)(B) of rule XI of the Rules of the House of Representatives, the committee notes that no rollcall votes were taken with respect to H.R. 1141.

The committee ordered H.R. 1141 reported favorably to the House by voice vote.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of he House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

THE ACT OF SEPTEMBER 15, 1960

COMMONLY REFERRED TO AS THE "SIKES ACT"

AN ACT to promote effectual planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation in military reservations.

TITLE I—CONSERVATION PROGRAMS ON [MILITARY RESERVATIONS] *MILITARY INSTALLATIONS*

SEC. 101. (a)*(1)* The Secretary of Defense [is authorized to] *shall* carry out a program of planning for, and the development, maintenance, and coordination of, wildlife, fish, and game conservation and rehabilitation [in each military reservation in accordance with a cooperative plan] *on military installations. Under the program, the Secretary shall prepare and implement for each military installation in the United States an integrated natural resource management plan* mutually agreed upon by the Secretary of Defense, the Secretary of the Interior, and the appropriate State agency designated by the State in which the [reservation] *installation* is located, *except that the Secretary is not required to prepare such a plan for a military installation if the Secretary determines that preparation of such a plan for the installation is not appropriate.*

(2) Consistent with essential military requirements to enhance the national security of the United States, the Secretary of Defense shall manage each military installation to provide—

(A) for the conservation of fish and wildlife on the military installation and sustained multipurpose uses of those resources, including hunting, fishing, and trapping; and

(B) public access that is necessary or appropriate for those uses.

(b) Each [cooperative] *integrated natural resource management* plan entered into under subsection (a)—

(1) shall provide for—

(A) fish and wildlife habitat improvements or modifications,

(B) range rehabilitation where necessary for support of wildlife,

(C) control of off-road vehicle traffic, [and]

(D) specific habitat improvement projects and related activities and adequate protection for species of fish, wildlife, and plants considered threatened or endangered[;],

(E) wetland protection and restoration, and wetland creation where necessary, for support of fish or wildlife,

(F) consideration of conservation needs for all biological communities; and

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

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

(A) address the needs for fish and wildlife management, land management, forest management, and wildlife-oriented recreation;

(B) ensure the integration of, and consistency among, the various activities conducted under the plan;

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

(D) provide for sustained use by the public of natural resources, to the extent that such use is not inconsistent with the military mission of the installation or the needs of fish and wildlife management;

(E) provide the public access to the installation that is necessary or appropriate for that use, to the extent that access is not inconsistent with the military mission of the installation; and

(F) provide for professional enforcement of natural resource laws and regulations;

[(2)]*(3)* must be reviewed as to operation and effect by the parties thereto on a regular basis, but not less often than every 5 years;

[(3) shall, if a multiuse natural resources management plan is applicable to the military reservation, be treated as the exclusive component of that management plan with respect to wildlife, fish, and game conservation and rehabilitation; and]

(4) may stipulate the issuance of special State hunting and fishing permits to individuals and require payment of nominal fees therefor, which fees shall be utilized for the protection, conservation, and management of fish and wildlife, including

habitat improvement and related activities in accordance with the [cooperative] *integrated natural resource management* plan; except that—

(A) the Commanding Officer of the [reservation] *installation* or persons designated by that Officer are authorized to enforce such special hunting and fishing permits and to [collect the fees therefor,] *collect, spend, administer, and account for fees therefor,* acting as agent or agents for the State if the [cooperative] *integrated natural resource management* plan so provides, and

(B) the fees collected under this paragraph may not be expended with respect to other than the military [reservation] *installation* on which collected.

(c) After [a cooperative] *an integrated natural resource management* plan is agreed to under subsection (a)—

(1) no sale of land, or forest products from land, that is within a military [reservation] *installation* covered by that plan may be made under section 2665 (a) or (b) of title 10, United States Code; and

(2) no leasing of land that is within the [reservation] *installation* may be made under section 2667 of such title 10;

unless the effects of that sale or leasing are compatible with the purposes of the plan.

(d) With regard to the implementation and enforcement of [cooperative] *integrated natural resource management* plans agreed to under subsection (a)—

(1) neither Office of Management and Budget Circular A–76 nor any successor circular thereto applies to the procurement of services that are necessary for that implementation and enforcement; and

(2) priority shall be given to the entering into of contracts for the procurement of such implementation and enforcement services with Federal and State agencies having responsibility for the conservation or management of fish or wildlife.

(e) [Cooperative] *Integrated natural resource management* plans agreed to under the authority of this section and section 102 shall not be deemed to be, nor treated as, cooperative agreements to which the Federal Grant and Cooperative Agreement Act of 1977 (41 U.S.C. 501 et seq.) applies.

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

(g) REVIEWS AND REPORTS.—

(1) SECRETARY OF DEFENSE.—The Secretary of Defense shall, by not later than March 1 of each year, review the extent to which integrated natural resource management plans were prepared or in effect and implemented in accordance with this Act in the preceding year, and submit a report on the findings of that review to the committees. Each report shall include—

(A) the number of integrated natural resource management plans in effect in the year covered by the report, including the date on which each plan was issued in final form or most recently revised;

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

(C) an assessment of the extent to which the plans comply with the requirements of subsection (b)(1) and (2), including specifically the extent to which the plans ensure in accordance with subsection (b)(2)(C) that there is no net loss of lands to support the military missions of military installations.

(2) SECRETARY OF THE INTERIOR.—The Secretary of the Interior, by not later than March 1 of each year and in consultation with State agencies responsible for conservation or management of fish or wildlife, shall submit a report to the committees on the amount of moneys expended by the Department of the Interior and those State agencies in the year covered by the report on conservation activities conducted pursuant to integrated natural resource management plans.

(3) COMMITTEES DEFINED.—For purposes of this subsection, the term "committees" means the Committees on Resources and National Security of the House of Representatives and the Committees on Armed Services and Environment and Public Works of the Senate.

SEC. 102. The Secretary of Defense in cooperation with the Secretary of Interior and the appropriate State agency is authorized to carry out a program for the conservation, restoration and management of migratory game birds on military [reservations] *an integrated natural resource management*, including the issuance of special hunting permits and the collection of fees therefor, in accordance with [a cooperative] *installations* plan mutually agreed upon by the Secretary of Defense, the Secretary of the Interior and the appropriate State agency: *Provided*, That possession of a special permit for hunting migratory game birds issued pursuant to this title shall not relieve the permittee of the requirements of the Migratory Bird Hunting Stamp Act as amended nor of the requirements pertaining to State law set forth in Public Law 85–337.

SEC. 103. The Secretary of Defense is also authorized to carry out a program for the development, enhancement, operation, and maintenance of public outdoor recreation resources at military [reservations] *installations* in accordance with [a cooperative] *an integrated natural resource management* plan mutually agreed upon by the Secretary of Defense and the Secretary of the Interior, in consultation with the appropriate State agency designated by the State in which such [reservations] *installations* are located.

SEC. 103a.(a) The Secretary of Defense may enter into cooperative agreements with States, local governments, nongovernmental organizations, and individuals to provide for the maintenance and improvement of natural resources on, or to benefit natural and historic research on, Department of Defense installations.

(b) A cooperative agreement shall provide for the Secretary of Defense and the other party or parties to the agreement—

(1) to contribute funds on a [matching basis] *cost-sharing basis* to defray the cost of programs, projects, and activities under the agreement; or

(2) to furnish services on a [matching basis] *cost-sharing basis* to carry out such programs, projects, and activities,

or to do both.

(c) Cooperative agreements entered into under this section shall be subject to the availability of funds and shall not be considered, nor be treated as, cooperative agreements to which chapter 63 of title 31, United States Code, applies, *and shall not be subject to section 1535 of that title.*

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SEC. 106. FEDERAL ENFORCEMENT OF OTHER LAWS.

All Federal laws relating to the conservation of natural resources on Federal lands may be enforced by the Secretary of Defense with respect to violations of those laws which occur on military installations within the United States.

SEC. 107. NATURAL RESOURCE MANAGEMENT SERVICES.

The Secretary of each military department shall ensure that sufficient numbers of professionally trained natural resource management personnel and natural resource law enforcement personnel are available and assigned responsibility to perform tasks necessary to comply with this Act, including the preparation and implementation of integrated natural resource management plans.

SEC. 108. DEFINITIONS.

In this title:

(1) MILITARY DEPARTMENT.—The term "military department" means the Department of the Army, the Department of the Navy, and the Department of the Air Force.

(2) MILITARY INSTALLATION.—The term "military installation"—

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

(B) includes all public lands withdrawn from all forms of appropriation under public land laws and reserved for use by the Secretary of Defense or the head of a military department.

(3) STATE FISH AND WILDLIFE AGENCY.—The term "State fish and wildlife agency" means an agency of State government that is responsible under State law for managing fish or wildlife resources.

(4) UNITED STATES.—The term "United States" means the States, the District of Columbia, and the territories and possessions of the United States.

SEC. 109. SHORT TITLE.

This title may be cited as the "Sikes Act".

SEC. [106] *110.* (a) The Secretary of Defense shall expend such funds as may be collected in accordance with the [cooperative] *integrated natural resource management* plans agreed to under sections 101 and 102 and cooperative agreements agreed to under sec-

tion 103a of this title and for no other purpose. All funds that are so collected shall remain available until expended.

(b) There are authorized to be appropriated to the Secretary of Defense not to exceed $1,500,000 for each of the fiscal years [1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, and 1993,] *1995, 1996, 1997, and 1998,* to carry out this title, including the enhancement of fish and wildlife habitat and the development of public recreation and other facilities and to carry out such functions and responsibilities as the Secretary may have under cooperative agreements entered into under section 103a. The Secretary of Defense shall, to the greatest extent practicable, enter into agreements to utilize the services, personnel, equipment, and facilities, with or without reimbursement, of the Secretary of the Interior in carrying out the provisions of this section.

(c) There are authorized to be appropriated to the Secretary of the Interior not to exceed $3,000,000 for each of the fiscal years [1983, 1994, 1995, 1986, 1987, 1988, 1989, 1990, 1991, 1992, and 1993,] *1995, 1996, 1997, and 1998,* to carry out such functions and responsibilities as the Secretary may have under [cooperative] *integrated natural resource management* plans to which such Secretary is a party under this section, including those for the enhancement of fish and wildlife habitat and the development of public recreation and other facilities.

TITLE II—CONSERVATION PROGRAMS ON CERTAIN PUBLIC LAND

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SEC. 209. (a) There are authorized to be appropriated [the sum of $10,000,000 for each of the fiscal years 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, and 1993, to enable the Secretary of the Interior] *$4,000,000 for each of fiscal years 1995, 1996, 1997, and 1998, to enable the Secretary of the Interior* to carry out his functions and responsibilities under this title, including data collection, research, planning, and conservation and rehabilitation programs on public lands. Such funds shall be in addition to those authorized for wildlife, range, soil, and water management pursuant to section 318 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1748), or other provisions of law.

(b) There are authorized to be appropriated [the sum of $12,000,000 for each of the fiscal years 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, and 1993, to enable the Secretary of Agriculture] *$5,000,000 for each of fiscal years 1995, 1996, 1997, and 1998, to enable the Secretary of Agriculture* to carry out his functions and responsibilities under this title. Such funds shall be in addition to those provided under other provisions of law. In requesting funds under this subsection the Secretary shall take into account fish and wildlife program needs, including those for projects, identified in the State comprehensive plans as contained in the program developed pursuant to the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended (16 U.S. 1601–1610).

SECTION 2 OF THE ACT OF OCTOBER 27, 1986

[SEC. 2. NATURAL RESOURCES AND FISH AND WILDLIFE MANAGEMENT ON MILITARY RESERVATIONS; REPORT ON MILITARY EXPENDITURES FOR FISH AND WILDLIFE MANAGEMENT.

[(a) NATURAL RESOURCES MANAGEMENT.—The Secretary of each military department shall manage the natural resources of each military reservation within the United States that is under the jurisdiction of the Secretary—

[(1) so as to provide for sustained multipurpose uses of those resources; and

[(2) to provide the public access that is necessary or appropriate for those uses;

to the extent that those uses and that access are not inconsistent with the military mission of the reservation.

[(b) FISH AND WILDLIFE MANAGEMENT SERVICE.—The Secretary of each military department shall ensure, to the extent feasible, that the services necessary for the development, implementation, and enforcement of fish and wildlife management on each military reservation within the United States under the jurisdiction of the Secretary are provided by the Department of Defense personnel who have professional training in those services.

[(c) FISH AND WILDLIFE MANAGEMENT REPORT.—The Secretary of each military department shall submit to each House of the Congress, before the close of the 180-day period occurring after the close of fiscal year 1986, a detailed report setting forth the amount and purpose of all expenditures made during fiscal year 1986 for fish and wildlife management on each military reservation in the United States under the jurisdiction of the Secretary.

[(d) DEFINITIONS.—As used in this section—

[(1) The term "military department" means the Department of the Army, the Department of the Navy, and the Department of the Air Force.

[(2) The term "United States" means the States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.]

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