

106TH CONGRESS
2D SESSION

H. R. 5651

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

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

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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