H. R. 1497
[Report No. 108–100, Part I]

To reauthorize title I of the Sikes Act.

IN THE HOUSE OF REPRESENTATIVES

March 27, 2003

Mr. Pombo introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Armed Services, 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.

May 14, 2003

Reported from the Committee on Resources with amendments
[Strike out all after the enacting clause and insert the part printed in italic]

May 14, 2003

Referral to the Committee on Armed Services extended for a period ending not later than June 13, 2003

June 13, 2003

The Committee on Armed Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed
[For text of introduced bill, see copy of bill as introduced on March 27, 2003]

A BILL

To reauthorize title I of the Sikes Act.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Sikes Act Reauthorization Act of 2003”.

SEC. 2. REAUTHORIZATION OF TITLE I OF SIKES ACT.

Section 108 of the Sikes Act (16 U.S.C. 670f) is amended by striking “fiscal years 1998 through 2003” each place it appears and inserting “fiscal years 2004 through 2008”.

SEC. 3. SENSE OF CONGRESS.

(a) FINDINGS.—The Congress finds the following:

(1) The Department of Defense maintains over 25,000,000 acres of valuable fish and wildlife habitat on approximately 400 military installations nationwide.

(2) These lands contain a wealth of plant and animal life, vital wetlands for migratory birds, and nearly 300 federally listed threatened species and endangered species.

(3) Increasingly, land surrounding military bases are being developed with residential and commercial infrastructure that fragments fish and wildlife habitat and decreases its ability to support a diversity of species.
(4) Comprehensive conservation plans, such as integrated natural resource management plans under the Sikes Act (16 U.S.C. 670 et seq.), can ensure that these ecosystem values can be protected and enhanced while allowing these lands to meet the needs of military operations.

(5) Section 107 of the Sikes Act (16 U.S.C. 670e–2) requires sufficient numbers of professionally trained natural resources management personnel and natural resources law enforcement personnel to be available and assigned responsibility to perform tasks necessary to carry out title I of the Sikes Act, including the preparation and implementation of integrated natural resource management plans.

(6) Managerial and policymaking functions performed by Department of Defense on-site professionally trained natural resource management personnel on military installations are appropriate governmental functions.

(7) Professionally trained civilian biologists in permanent Federal Government career managerial positions are essential to oversee fish and wildlife and natural resource conservation programs are essential to the conservation of wildlife species on military land.
(b) Sense of Congress.—It is the sense of Congress that the Secretary of Defense should take whatever steps are necessary to ensure that section 107 of the Sikes Act (16 U.S.C. 670e–2) is fully implemented consistent with the findings made in subsection (a).

SEC. 4. ADVANCE NOTICE AND CONSULTATION REGARDING INTEGRATED NATURAL RESOURCE MANAGEMENT PLANS.

Section 101(a)(2) of the Sikes Act (16 U.S.C. 670a(a)(2)) is amended—

(1) by inserting “(A)” before “The Secretary”; and

(2) by adding at the end the following:

“(B)(i) The Secretary of a military department shall advise the Secretary of the Interior and the head of the appropriate State fish and wildlife agency of the intent of the Secretary of the military department to prepare or revise an integrated natural resources management plan under this subsection, by not later than 30 days before publishing public notice of such intent.

“(ii) The Secretary of the military department, the Secretary of the Interior, and the head of such appropriate State fish and wildlife agency, in the period beginning on the date of publication of notice under
clause (i) and ending on the date of publication of
public notice referred to in clause (i), shall consult to
determine the following:

“(I) The intended scope of the integrated
natural resources management plan that is the
subject of the notice.

“(II) The timetable for preparation or revi-
sion of such plan.

“(III) What steps must be taken to comply
with section 102 of the National Environmental
Policy Act of 1969 (42 U.S.C. 4332) in such
preparation or revision.

“(IV) An estimation of the financial and
human resources needed to complete such prepa-
ration or revision.”.

SEC. 5. RESOURCE AGENCY CERTIFICATIONS REGARDING
INTEGRATED NATURAL RESOURCE MANAGE-
MENT PLANS.

Section 101 of the Sikes Act (16 U.S.C. 670a) is fur-
ther amended—

(1) in subsection (a)(2), by adding at the end the
following:

“(C) An integrated natural resources manage-
ment plan prepared or revised under this section shall
not be considered to reflect the mutual agreement of
the parties for purposes of subparagraph (A) unless the Secretary of the Interior, the head of the appropriate State fish and wildlife agency, and the Secretary of the military department that prepares or revises the plan each certify that the plan adequately addresses conservation, protection, and management of fish and wildlife resources.”;

(2) in subsection (b)(2), by inserting “and recertified under subsection (a)(2)(C) by each of the Secretary of the Interior, the head of the appropriate State fish and wildlife agency, and the Secretary of the military department that prepared the plan” after “parties thereto”; and

(3) in subsection (f)(2), by adding at the end the following: “The report shall include a statement of the number of integrated natural resources management plans that were certified or recertified by the Secretary of the Interior under subsection (a)(2)(C) in the year covered by the report.”.

SEC. 6. PUBLIC NOTICE AND COMMENT REGARDING INTEGRATED NATURAL RESOURCE MANAGEMENT PLANS.

Section 101(a)(2) of the Sikes Act (16 U.S.C. 670a(a)(2)) is further amended by adding at the end the following:
“(D) The Secretary of a military department shall—

“(i) publish public notice in the Federal Register or, if more appropriate, a readily accessible publication such as a local or regional newspaper, of the intent of the Secretary to prepare or revise an integrated natural resources management plan under this paragraph; and

“(ii) provide an opportunity for the submission by the public of comments regarding such preparation or revision, for a period of at least 30 days.”.

SEC. 7. INVASIVE SPECIES MANAGEMENT FOR MILITARY INSTALLATIONS.

(a) IN GENERAL.—Section 101(b)(1) of the Sikes Act (16 U.S.C. 670a(b)(1)) is amended by redesignating subparagraphs (D) through (J) in order as subparagraphs (E) through (K), and by inserting after subparagraph (C) the following:

“(D) in the case of a plan for a military installation in Guam, management, control, and eradication of invasive species that are not native to the ecosystem of the military installation and the introduction of which cause or may cause harm to military readiness, the environ-
ment, the economy, or human health and safety;”.

(b) APPLICATION.—The amendment made by subsection (a) shall apply—

(1) to any integrated natural resources management plan prepared under section 101(a)(1) of the Sikes Act (16 U.S.C. 670a(a)(1)) on or after the date of the enactment of this Act; and

(2) to any integrated natural resources management plan prepared under section 101(a)(1) of the Sikes Act (16 U.S.C. 670a(a)(1)) before the date of the enactment of this Act, effective March 1, 2004.

Amend the title so as to read: “A bill to reauthorize title I of the Sikes Act, and for other purposes.”.
A BILL

To reauthorize title I of the Sikes Act.

June 13, 2003

The Committee on Armed Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed