Public Law 97-396
97th Congress

An Act

Authorizing appropriations to carry out conservation programs on military reservations and public lands during fiscal years 1983, 1984, and 1985, and for other purposes.

Dec. 31, 1982
[H.R. 1952]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101 of the Act of September 15, 1960 (commonly known as the Sikes Act, 16 U.S.C. 670a) is amended—

Conservation programs on military reservations and public lands, fiscal years 1983–1985. Appropriation authorization.

(1) by amending the second sentence thereof—

(A) by striking out "and (3)" and inserting in lieu thereof "(3)"; and

(B) by inserting immediately before the period the following: ", and (4) specific habitat improvement projects and related activities and adequate protection for species of fish, wildlife, and plants considered threatened or endangered"; and

(2) by adding at the end thereof the following new sentence: "Cooperative 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.".

16 USC 670b.

SEC. 2. Section 106 of the Sikes Act (16 U.S.C. 670f) is amended—

(1) by striking out "ending September 30, 1979, September 30, 1980, and September 30, 1981," each place it appears in subsections (b) and (c) and inserting in lieu thereof "1983, 1984, and 1985,"; and

(2) by adding at the end thereof the following new subsection:

"(d) The Secretary of Defense and the Secretary of the Interior may each use any authority available to him under other laws relating to fish, wildlife, or plant conservation or rehabilitation for purposes of carrying out the provisions of this title.".

SEC. 3. The second sentence of section 201 of the Sikes Act (16 U.S.C. 670g) is amended by inserting "of fish, wildlife, and plants" immediately after "species".

SEC. 4. Section 202 of the Sikes Act (16 U.S.C. 670h) is amended by adding at the end thereof the following new subsection:

"(d) Agreements entered into by State agencies under the authority of this section shall not be deemed to be, or treated as, cooperative agreements to which the Federal Grant and Cooperative Agreement Act of 1977 (41 U.S.C. 501 et seq.) applies.".

SEC. 5. Section 209 of the Sikes Act (16 U.S.C. 670o) is amended—

(1) by striking out "ending September 30, 1979, September 30, 1980, and September 30, 1981," each place it appears in subsections (a) and (b) and inserting in lieu thereof "1983, 1984, and 1985,"; and

(2) by adding at the end thereof the following new subsections:

"(c) The Secretary of the Interior and the Secretary of Agriculture may each use any authority available to him under other laws

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relating to fish, wildlife, or plant conservation or rehabilitation for purposes of carrying out the provisions of this title.

Contract and purchase authority.

"(d) The Secretary of the Interior and the Secretary of Agriculture may each make purchases and contracts for property and services from, or provide assistance to, the State agencies concerned, if such property, services or assistance is required to implement those projects and programs carried out on, or of benefit to, Federal lands and identified in the comprehensive plans or cooperative agreements developed under section 202, without regard to title III (other than section 304) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251-260). Contract authority provided in this section is effective only to such extent or in such amounts as are provided in appropriation Acts.".

16 USC 670h.
41 USC 254.

SEC. 6. Section 12 of the Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2911) is amended—

(1) by striking out ", out of funds available for the administration of this Act" immediately after "shall conduct"; and

(2) by striking out "the expiration of the thirty-month period following the date of enactment of this Act," and inserting in lieu thereof "December 31, 1984,".

16 USC 742*l*.

SEC. 7. Section 3 of the Fish and Wildlife Improvement Act of 1978 (16 U.S.C. 7421) is amended by adding at the end thereof the following new subsection:

"(k) LAW ENFORCEMENT OPERATIONS.—With respect to any undercover or other enforcement operation which is necessary for the detection and prosecution of violations of any laws administered by the United States Fish and Wildlife Service or the National Marine Fisheries Service relating to fish, wildlife, or plants, the Secretary of the Interior or the Secretary of Commerce may, notwithstanding any other provision of law—

"(1) direct the advance of funds which may be deposited in commercial banks or other financial institutions;

"(2) use appropriations for payment for information, rewards, or evidence concerning violations, without reference to any rewards to which such persons may otherwise be entitled by law, and any moneys subsequently recovered shall be reimbursed to the current appropriation; and

"(3) use appropriations to establish or acquire proprietary corporations or business entities as part of an undercover operation, operate such corporations or business entities on a commercial basis, lease space and make other necessary expenditures, and use the proceeds from such undercover operations to offset necessary and reasonable expenses incurred in such operations: *Provided*, That at the conclusion of each such operation the proceeds shall be deposited in the Treasury of the United States as miscellaneous receipts.".

SEC. 8. Section 4(a) of the Coastal Barrier Resources Act (Public Law 97-348) is amended by inserting "(but excluding maps T02 and T03)" immediately after "A01 through T12" and by inserting "and the maps designated T02A and T03A, dated December 8, 1982" immediately after "and dated September 30, 1982". *Ante*, p. 1654.

Approved December 31, 1982.

LEGISLATIVE HISTORY—H.R. 1952:

HOUSE REPORT No. 97-49 (Comm. on Merchant Marine and Fisheries).
SENATE REPORT No. 97-413 (Comm. on Environment and Public Works).
CONGRESSIONAL RECORD:
Vol. 127 (1981): Sept. 21, considered and passed House.
Vol. 128 (1982): June 9, considered and passed Senate, amended.
Sept. 30, House agreed to certain Senate amendments and in another with an amendment.
Dec. 16, Senate concurred in House amendment with amendments.
Dec. 17, House concurred in Senate amendments.