

Public Law 94-223
94th Congress

An Act

To amend the National Wildlife Refuge System Administration Act of 1966,
and for other purposes.

Feb. 27, 1976

[H.R. 5512]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 4 of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(a)) is amended to read as follows:

National Wildlife
Refuge System
Administration
Act of 1966,
amendments.

“(a) (1) For the purpose of consolidating the authorities relating to the various categories of areas that are administered by the Secretary of the Interior for the conservation of fish and wildlife, including species that are threatened with extinction, all lands, waters, and interests therein administered by the Secretary as wildlife refuges, areas for the protection and conservation of fish and wildlife that are threatened with extinction, wildlife ranges, game ranges, wildlife management areas, or waterfowl production areas are hereby designated as the ‘National Wildlife Refuge System’ (referred to herein as the ‘System’), which shall be subject to the provisions of this section, and shall be administered by the Secretary through the United States Fish and Wildlife Service. With respect to refuge lands in the State of Alaska, those programs relating to the management of resources for which any other agency of the Federal Government exercises administrative responsibility through cooperative agreement shall remain in effect, subject to the direct supervision of the United States Fish and Wildlife Service, as long as such agency agrees to exercise such responsibility.

“(2) No acquired lands which are or become a part of the System may be transferred or otherwise disposed of under any provision of law (except by exchange pursuant to subsection (b)(3) of this section) unless—

Transfer or
disposal of lands,
restriction.

“(A) the Secretary of the Interior determines with the approval of the Migratory Bird Conservation Commission that such lands are no longer needed for the purposes for which the System was established; and

“(B) such lands are transferred or otherwise disposed of for an amount not less than—

“(i) the acquisition costs of such lands, in the case of lands of the System which were purchased by the United States with funds from the migratory bird conservation fund, or fair market value, whichever is greater; or

“(ii) the fair market value of such lands (as determined by the Secretary as of the date of the transfer or disposal), in the case of lands of the System which were donated to the System.

The Secretary shall pay into the migratory bird conservation fund the aggregate amount of the proceeds of any transfer or disposal referred to in the preceding sentence.

“(3) Each area which is included within the System on January 1, 1975, or thereafter, and which was or is—

“(A) designated as an area within such System by law, Executive order, or secretarial order; or

"(B) so included by public land withdrawal, donation, purchase, exchange, or pursuant to a cooperative agreement with any State or local government, any Federal department or agency, or any other governmental entity, shall continue to be a part of the System until otherwise specified by Act of Congress, except that nothing in this paragraph shall be construed as precluding—

"(i) the transfer or disposal of acquired lands within any such area pursuant to paragraph (2) of this subsection;

"(ii) the exchange of lands within any such area pursuant to subsection (b) (3) of this section; or

"(iii) the disposal of any lands within any such area pursuant to the terms of any cooperative agreement referred to in subparagraph (B) of this paragraph."

Approved February 27, 1976.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-334 (Comm. on Merchant Marine and Fisheries).

SENATE REPORT No. 94-593 (Comm. on Commerce).

CONGRESSIONAL RECORD:

Vol. 121 (1975): Nov. 14, considered and passed House.

Vol. 122 (1976): Feb. 4, considered and passed Senate, amended.

Feb. 17, House concurred in Senate amendment.