

and shall not be considered, nor be treated as, cooperative agreements to which chapter 63 of title 31 applies.”

2013—Subsec. (a). Pub. L. 112-239, which directed amendment of section 103A of Pub. L. 86-797 by inserting “Indian tribes,” after “local governments,” in introductory provisions of subsec. (a), was executed to this section, which is section 103a of Pub. L. 86-797, to reflect the probable intent of Congress.

2011—Pub. L. 112-81, §312(b)(3)(A), (B), inserted section catchline.

Subsec. (a). Pub. L. 112-81, §312(b)(3)(C), inserted heading.

Subsec. (a)(1). Pub. L. 112-81, §312(a)(3)(A), substituted “military installations and State-owned National Guard installations” for “Department of Defense installations”.

Subsec. (a)(2). Pub. L. 112-81, §312(a)(3)(B), substituted “military installation or State-owned National Guard installation” for “Department of Defense installation”.

Subsec. (c). Pub. L. 112-81, §312(b)(3)(D), inserted heading.

2009—Pub. L. 111-84 inserted, in section catchline, “and interagency” after “Cooperative”, in subsec. (a), “, and into interagency agreements with the heads of other Federal departments and agencies,” after “and individuals” in introductory provisions and “or interagency agreement” after “cooperative agreement” in par. (2), in subsec. (b), “or interagency agreement” after “cooperative agreement”, and, in subsec. (c), “and interagency agreements” after “Cooperative agreements”.

2008—Subsec. (a). Pub. L. 110-417 substituted “to provide for the following:

“(1) The”
for “to provide for the” and added par. (2).

1997—Subsec. (a). Pub. L. 105-85, §2908(1), substituted “Secretary of a military department” for “Secretary of Defense”.

Subsec. (b). Pub. L. 105-85, §2908(2), added heading and text of subsec. (b) and struck out former subsec. (b) which read as follows: “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 to defray the cost of programs, projects, and activities under the agreement; or
“(2) to furnish services on a matching basis to carry out such programs, projects, and activities, or to do both.”

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective Dec. 31, 2021, of provisions in subsec. (b)(3) of this section requiring submittal of report to Congress, see section 1061 of Pub. L. 114-328, set out as a note under section 111 of Title 10, Armed Forces.

§ 670d. Liability for funds; accounting to Comptroller General

The Department of Defense is held free from any liability to pay into the Treasury of the United States upon the operation of the program or programs authorized by this subchapter any funds which may have been or may hereafter be collected, received or expended pursuant to, and for the purposes of, this subchapter, and which collections, receipts and expenditures have been properly accounted for to the Comptroller General of the United States.

(Pub. L. 86-797, title I, §104, formerly §4, Sept. 15, 1960, 74 Stat. 1053; renumbered title I, §104, and amended Pub. L. 93-452, §3(1), (4), Oct. 18, 1974, 88 Stat. 1375; Pub. L. 112-81, div. A, title III, §312(b)(4), Dec. 31, 2011, 125 Stat. 1353.)

AMENDMENTS

2011—Pub. L. 112-81 inserted section catchline.

1974—Pub. L. 93-452, §3(4), substituted “title” for “Act” wherever appearing, which for purposes of codification was translated as “subchapter”.

§ 670e. Applicability to other laws; national forest lands

Nothing herein contained shall be construed to modify, amend or repeal any provision of Public Law 85-337, nor as applying to national forest lands administered pursuant to the provisions of section 9 of the Act of June 7, 1924 (43 Stat. 655), nor section 315m of title 43.

(Pub. L. 86-797, title I, §105, formerly §5, Sept. 15, 1960, 74 Stat. 1053; renumbered title I, §105, Pub. L. 93-452, §3(1), Oct. 18, 1974, 88 Stat. 1375; amended Pub. L. 112-81, div. A, title III, §312(b)(5), Dec. 31, 2011, 125 Stat. 1353.)

REFERENCES IN TEXT

Public Law 85-337, referred to in text, is Pub. L. 85-337, Feb. 28, 1958, 72 Stat. 28, which is classified to section 2671 of Title 10, Armed Forces; section 472 of former Title 40, Public Buildings, Property, and Works [now 40 U.S.C. 102]; and sections 155 to 158 of Title 43, Public Lands. For complete classification of this Act to the Code, see Tables.

Section 9 of the Act of June 7, 1924 [ch. 348, 43 Stat. 655], referred to in text, was classified to the code as follows: The first and fifth sentences were classified to section 471(b) of this title, which was repealed by section 704(a) of Pub. L. 94-579; the second and third sentences were classified to section 505 of this title; and the fourth sentence was classified to section 499 of this title.

AMENDMENTS

2011—Pub. L. 112-81 inserted section catchline.

§ 670e-1. Federal enforcement of other laws

All Federal laws relating to the management of natural resources on Federal land may be enforced by the Secretary of Defense with respect to violations of the laws that occur on military installations within the United States.

(Pub. L. 86-797, title I, §106, as added Pub. L. 105-85, div. B, title XXIX, §2909(2), Nov. 18, 1997, 111 Stat. 2021.)

PRIOR PROVISIONS

A prior section 106 of Pub. L. 86-797 was renumbered section 108, and is classified to section 670f of this title.

§ 670e-2. Natural resources management services

To the extent practicable using available resources, the Secretary of each military department shall ensure that sufficient numbers of professionally trained natural resources management personnel and natural resources law enforcement personnel are available and assigned responsibility to perform tasks necessary to carry out this subchapter, including the preparation and implementation of integrated natural resources management plans.

(Pub. L. 86-797, title I, §107, as added Pub. L. 105-85, div. B, title XXIX, §2910, Nov. 18, 1997, 111 Stat. 2021.)

§ 670f. Appropriations and expenditures

(a) Expenditures of collected funds under integrated natural resources management plans

The Secretary of Defense shall expend such funds as may be collected in accordance with

the integrated natural resources management plans agreed to under sections 670a and 670b of this title and cooperative agreements agreed to under section 670c-1 of this title and for no other purpose. All funds that are so collected shall remain available until expended.

(b) Authorization of appropriations to Secretary of Defense

Of the amounts authorized to be appropriated to the Department of Defense, there are authorized to be appropriated to the Secretary of Defense not to exceed \$1,500,000 for each of the fiscal years 2014 through 2019, to carry out this subchapter, 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 670c-1 of this title. 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) Authorization of appropriations to Secretary of the Interior

Of the amounts authorized to be appropriated to the Department of the Interior, there are authorized to be appropriated to the Secretary of the Interior not to exceed \$3,000,000 for each of the fiscal years 2014 through 2019, to carry out such functions and responsibilities as the Secretary may have under integrated natural resources 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.

(d) Use of other conservation or rehabilitation authorities

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 subchapter.

(Pub. L. 86-797, title I, §108, formerly §6, as added Pub. L. 90-465, §2, Aug. 8, 1968, 82 Stat. 661; renumbered title I, §106, and amended Pub. L. 93-452, §§1(2), 3(1), (4), (5), Oct. 18, 1974, 88 Stat. 1369, 1375; Pub. L. 95-420, §2, Oct. 5, 1978, 92 Stat. 921; Pub. L. 97-396, §2, Dec. 31, 1982, 96 Stat. 2005; Pub. L. 99-561, §§1(a), 3(b), Oct. 27, 1986, 100 Stat. 3149, 3151; Pub. L. 100-653, title II, §202(a), Nov. 14, 1988, 102 Stat. 3827; Pub. L. 101-189, div. B, title XXVIII, §2845(b), Nov. 29, 1989, 103 Stat. 1664; renumbered §108, and amended Pub. L. 105-85, div. B, title XXIX, §§2904(b)(7), (8), 2909(1), 2914(a), Nov. 18, 1997, 111 Stat. 2018, 2021, 2022; Pub. L. 108-136, div. A, title III, §311(a), Nov. 24, 2003, 117 Stat. 1428; Pub. L. 111-84, div. A, title III, §312, Oct. 28, 2009, 123 Stat. 2247; Pub. L. 112-81, div. A, title III, §312(b)(6), Dec. 31, 2011, 125 Stat. 1353; Pub. L. 113-66, div. A, title III, §313, title X, §1091(c)(1), Dec. 26, 2013, 127 Stat. 729, 876.)

AMENDMENTS

2013—Subsecs. (b), (c). Pub. L. 113-66, §313, substituted “fiscal years 2014 through 2019” for “fiscal years 2009 through 2014”.

Subsec. (d). Pub. L. 113-66, §1091(c)(1), made technical amendment to directory language of Pub. L. 112-81, §312(b)(6)(F). See 2011 Amendment note below.

2011—Pub. L. 112-81, §312(b)(6), as amended by Pub. L. 113-66, §1091(c)(1), inserted section catchline and headings for subsecs. (a) to (d).

2009—Subsec. (b). Pub. L. 111-84, §312(a), (b)(1), substituted “Of the amounts authorized to be appropriated to the Department of Defense, there are authorized” for “There are authorized” and “fiscal years 2009 through 2014” for “fiscal years 2004 through 2008”.

Subsec. (c). Pub. L. 111-84, §312(a), (b)(2), substituted “Of the amounts authorized to be appropriated to the Department of the Interior, there are authorized” for “There are authorized” and “fiscal years 2009 through 2014” for “fiscal years 2004 through 2008”.

2003—Subsecs. (b), (c). Pub. L. 108-136 substituted “fiscal years 2004 through 2008” for “fiscal years 1998 through 2003”.

1997—Subsec. (a). Pub. L. 105-85, §2904(b)(7), substituted “integrated natural resources management plans” for “cooperative plans”.

Subsec. (b). Pub. L. 105-85, §2914(a), substituted “1998 through 2003,” for “1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, and 1993,”.

Subsec. (c). Pub. L. 105-85, §2914(a), substituted “1998 through 2003,” for “1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, and 1993,”.

Pub. L. 105-85, §2904(b)(8), substituted “integrated natural resources management plans” for “cooperative plans”.

1989—Subsec. (a). Pub. L. 101-189, §2845(b)(1), inserted “and cooperative agreements agreed to under section 670c-1 of this title” after “sections 670a and 670b of this title”.

Subsec. (b). Pub. L. 101-189, §2845(b)(2), inserted “, and to carry out such functions and responsibilities as the Secretary may have under cooperative agreements entered into under section 670c-1 of this title” before period at end of first sentence.

1988—Subsecs. (b), (c). Pub. L. 100-653 substituted “1988, 1989, 1990, 1991, 1992, and 1993” for “and 1988”.

1986—Subsec. (a). Pub. L. 99-561, §3(b), inserted provision that all funds collected remain available until expended.

Subsecs. (b), (c). Pub. L. 99-561, §1(a), substituted “1985, 1986, 1987, and 1988” for “and 1985”.

1982—Subsecs. (b), (c). Pub. L. 97-396, §2(1), substituted “1983, 1984, and 1985,” for “ending September 30, 1979, September 30, 1980, and September 30, 1981,” wherever appearing.

Subsec. (d). Pub. L. 97-396, §2(2), added subsec. (d).

1978—Subsec. (b). Pub. L. 95-420 substituted provisions authorizing the appropriation of not to exceed \$1,500,000 for each of the fiscal years ending Sept. 30, 1979, 1980 and 1981 for provisions authorizing the appropriation of not to exceed \$500,000 per fiscal year for fiscal years beginning July 1, 1969, 1970, and 1971 and not to exceed \$1,500,000 for fiscal year beginning July 1, 1972 and for each of the next five fiscal years thereafter and struck out provisions relating to the authorization of appropriations to the Secretary of the Interior not to exceed \$2,000,000 for the fiscal year beginning July 1, 1973 and for each of the next four fiscal years thereafter to enable the Secretary to carry out the functions and responsibilities under cooperative plans, sums appropriated under this subchapter to be available until expended.

Subsec. (c). Pub. L. 95-420 added subsec. (c).

1974—Subsec. (a). Pub. L. 93-452, §3(5), substituted “sections 101 and 102” for “sections 1 and 2” which for purposes of codification was translated as “sections 670a and 670b”, therefore requiring no change in text because of redesignation of former sections 1 and 2 of Pub. L. 86-797 by section 3(1) of Pub. L. 93-452.

Subsec. (b). Pub. L. 93-452, §§ 1(2), 3(4), inserted provisions authorizing appropriations of not to exceed \$1,500,000 for the fiscal year beginning July 1, 1972, and for each of the next five fiscal years thereafter, and authorizing appropriations to the Secretary of the Interior not to exceed \$2,000,000 for the fiscal year beginning July 1, 1973, and for each of the next four fiscal years thereafter, and substituted "title" for "Act" wherever appearing, which for purposes of codification was translated as "subchapter".

EFFECTIVE DATE OF 2013 AMENDMENT

Pub. L. 113-66, div. A, title X, §1091(c), Dec. 26, 2013, 127 Stat. 876, provided in part that the amendment by section 1091(c)(1) is effective as of Dec. 31, 2011, and as if included in Pub. L. 112-81 as enacted.

SUBCHAPTER II—CONSERVATION
PROGRAMS ON PUBLIC LANDS

§ 670g. Wildlife, fish, and game conservation and rehabilitation programs

(a) Programs required

The Secretary of the Interior and the Secretary of Agriculture shall each, in cooperation with the State agencies and in accordance with comprehensive plans developed pursuant to section 670h of this title, plan, develop, maintain, and coordinate programs for the conservation and rehabilitation of wildlife, fish, and game. Such conservation and rehabilitation programs shall include, but not be limited to, specific habitat improvement projects and related activities and adequate protection for species of fish, wildlife, and plants considered threatened or endangered.

(b) Implementation of programs

The Secretary of the Interior shall implement the conservation and rehabilitation programs required under subsection (a) of this section on public land under his jurisdiction. The Secretary of the Interior shall adopt, modify, and implement the conservation and rehabilitation programs required under such subsection (a) on public land under the jurisdiction of the Chairman, but only with the prior written approval of the Atomic Energy Commission, and on public land under the jurisdiction of the Administrator, but only with the prior written approval of the Administrator. The Secretary of Agriculture shall implement such conservation and rehabilitation programs on public land under his jurisdiction.

(Pub. L. 86-797, title II, §201, as added Pub. L. 93-452, §2, Oct. 18, 1974, 88 Stat. 1369; amended Pub. L. 97-396, §3, Dec. 31, 1982, 96 Stat. 2005; Pub. L. 112-81, div. A, title III, §312(b)(7), Dec. 31, 2011, 125 Stat. 1354.)

AMENDMENTS

2011—Pub. L. 112-81 inserted section catchline and headings for subsecs. (a) and (b).

1982—Subsec. (a). Pub. L. 97-396 inserted "of fish, wildlife, and plants" after "species".

TRANSFER OF FUNCTIONS

Atomic Energy Commission abolished and functions transferred by sections 5814 and 5841 of Title 42. The Public Health and Welfare. See, also, Transfer of Functions notes set out under those sections.

DESERT TORTOISE PLAN

Pub. L. 100-275, §12, Mar. 31, 1988, 102 Stat. 60, directed Secretary of the Interior to review status of popu-

lations of desert tortoises on lands in Nevada and other States managed by Secretary, other than lands conveyed or leased pursuant to Pub. L. 100-275, assess nature and extent of threats to continued health or stability of such populations on such lands, and prepare a comprehensive plan to address such threats, with Secretary to consult with State officials, other Federal agencies responsible for management of lands where desert tortoise populations are located, the Desert Tortoise Council, and other persons or groups identified by Secretary as having expertise relevant to requirements of this section; such review and assessment to be completed and results to be made available to the public and transmitted to certain committees of Congress no later than two years after Mar. 31, 1988, and such plan to be developed and transmitted to such committees no later than three years after Mar. 31, 1988; with a failure by Secretary to transmit such report within such three-year period not to relieve the Secretary from requirement to prepare such plan.

§ 670h. Comprehensive plans for conservation and rehabilitation programs

(a) Development of plans

(1) The Secretary of the Interior shall develop, in consultation with the State agencies, a comprehensive plan for conservation and rehabilitation programs to be implemented on public land under his jurisdiction and the Secretary of Agriculture shall do the same in connection with public land under his jurisdiction.

(2) The Secretary of the Interior shall develop, with the prior written approval of the Atomic Energy Commission, a comprehensive plan for conservation and rehabilitation programs to be implemented on public land under the jurisdiction of the Chairman and develop, with the prior written approval of the Administrator, a comprehensive plan for such programs to be implemented on public land under the jurisdiction of the Administrator. Each such plan shall be developed after the Secretary of the Interior makes, with the prior written approval of the Chairman or the Administrator, as the case may be, and in consultation with the State agencies, necessary studies and surveys of the land concerned to determine where conservation and rehabilitation programs are most needed.

(b) Consistency with overall land use and management plans; hunting, trapping, and fishing

Each comprehensive plan developed pursuant to this section shall be consistent with any overall land use and management plans for the lands involved. In any case in which hunting, trapping, or fishing (or any combination thereof) of resident fish and wildlife is to be permitted on public land under a comprehensive plan, such hunting, trapping, and fishing shall be conducted in accordance with applicable laws and regulations of the State in which such land is located.

(c) Cooperative agreements by State agencies for implementation of programs

(1) Each State agency may enter into a cooperative agreement with—

(A) the Secretary of the Interior with respect to those conservation and rehabilitation programs to be implemented under this subchapter within the State on public land which is under his jurisdiction;