

§ 670b. Migratory game birds; hunting permits**(a) Integrated natural resources management plan**

The Secretary of Defense in cooperation with the Secretary of the Interior and the appropriate State agency is authorized to carry out a program for the conservation, restoration and management of migratory game birds on military installations, including the issuance of special hunting permits and the collection of fees therefor, in accordance with an integrated natural resources management plan mutually agreed upon by the Secretary of Defense, the Secretary of the Interior and the appropriate State agency.

(b) Applicability of other laws

Possession of a special permit for hunting migratory game birds issued pursuant to this subchapter shall not relieve the permittee of the requirements of the Migratory Bird Hunting Stamp Act as amended [16 U.S.C. 718 et seq.] nor of the requirements pertaining to State law set forth in Public Law 85-337.

(Pub. L. 86-797, title I, §102, formerly §2, Sept. 15, 1960, 74 Stat. 1053; renumbered title I, §102, and amended Pub. L. 93-452, §3(1), (3), Oct. 18, 1974, 88 Stat. 1375; Pub. L. 105-85, div. B, title XXIX, §§2904(b)(5), 2913(5), Nov. 18, 1997, 111 Stat. 2018, 2022; Pub. L. 112-81, div. A, title III, §312(b)(2), Dec. 31, 2011, 125 Stat. 1353.)

REFERENCES IN TEXT

The Migratory Bird Hunting Stamp Act, referred to in subsec. (b), subsequently renamed the Migratory Bird Hunting and Conservation Stamp Act, is act Mar. 16, 1934, ch. 71, 48 Stat. 452, as amended, which is classified generally to subchapter IV (§718 et seq.) of chapter 7 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 718 of this title and Tables.

Public Law 85-337, referred to in subsec. (b), 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.

AMENDMENTS

2011—Pub. L. 112-81 inserted section catchline and subsec. (a) designation and heading, and substituted “agency.”, subsec. (b) designation and heading, and “Possession” for “agency: Provided, That possession”.

1997—Pub. L. 105-85 substituted “military installations” for “military reservations” and “an integrated natural resources management plan” for “a cooperative plan”.

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

§ 670c. Program for public outdoor recreation**(a) Program authorized**

The Secretary of Defense is also authorized to carry out a program for the development, enhancement, operation, and maintenance of public outdoor recreation resources at military installations in accordance with an integrated natural resources management plan mutually agreed upon by the Secretary of Defense and the Secretary of the Interior, in consultation with

the appropriate State agency designated by the State in which the installations are located.

(b) Access for disabled veterans, military dependents with disabilities, and other persons with disabilities

(1) In developing facilities and conducting programs for public outdoor recreation at military installations, consistent with the primary military mission of the installations, the Secretary of Defense shall ensure, to the extent reasonably practicable, that outdoor recreation opportunities (including fishing, hunting, trapping, wildlife viewing, boating, and camping) made available to the public also provide access for persons described in paragraph (2) when topographic, vegetative, and water resources allow access for such persons without substantial modification to the natural environment.

(2) Persons referred to in paragraph (1) are the following:

(A) Disabled veterans.

(B) Military dependents with disabilities.

(C) Other persons with disabilities, when access to a military installation for such persons and other civilians is not otherwise restricted.

(3) The Secretary of Defense shall carry out this subsection in consultation with the Secretary of Veterans Affairs, national service, military, and veterans organizations, and sporting organizations in the private sector that participate in outdoor recreation projects for persons described in paragraph (2).

(c) Acceptance of donations

In connection with the facilities and programs for public outdoor recreation at military installations, in particular the requirement under subsection (b) to provide access for persons described in paragraph (2) of such subsection, the Secretary of Defense may accept—

(1) the voluntary services of individuals and organizations; and

(2) donations of property, whether real or personal.

(d) Treatment of volunteers

A volunteer under subsection (c) shall not be considered to be a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits, except that—

(1) for the purposes of the tort claims provisions of chapter 171 of title 28, the volunteer shall be considered to be a Federal employee; and

(2) for the purposes of subchapter I of chapter 81 of title 5, relating to compensation to Federal employees for work injuries, the volunteer shall be considered to be an employee, as defined in section 8101(1)(B) of title 5, and the provisions of such subchapter shall apply.

(Pub. L. 86-797, title I, §103, formerly §3, Sept. 15, 1960, 74 Stat. 1053; Pub. L. 90-465, §1, Aug. 8, 1968, 82 Stat. 661; renumbered title I, §103, Pub. L. 93-452, §3(1), Oct. 18, 1974, 88 Stat. 1375; Pub. L. 105-85, div. B, title XXIX, §§2904(b)(6), 2913(6), Nov. 18, 1997, 111 Stat. 2018, 2022; Pub. L. 105-261, div. B, title XXVIII, §2813, Oct. 17, 1998, 112 Stat. 2206.)

AMENDMENTS

1998—Pub. L. 105–261 inserted section catchline, designated existing provisions as subsec. (a) and inserted heading, and added subsecs. (b) to (d).

1997—Pub. L. 105–85 substituted “military installations” for “military reservations”, “an integrated natural resources management plan” for “a cooperative plan”, and “the installations” for “such reservations”.

1968—Pub. L. 90–465 authorized the carrying out of a public outdoor recreation resources program under a cooperative plan between Secretary of Defense, Secretary of the Interior, and State agencies, and struck out provisions for expenditure of funds collected and purposes therefor, now incorporated in section 670f(a) of this title.

§ 670c–1. Cooperative and interagency agreements for land management on installations

(a) Authority of Secretary of military department

The Secretary of a military department may enter into cooperative agreements with States, local governments, Indian tribes, nongovernmental organizations, and individuals, and into interagency agreements with the heads of other Federal departments and agencies, to provide for the following:

(1) The maintenance and improvement of natural resources on, or to benefit natural and historic research on, military installations and State-owned National Guard installations.

(2) The maintenance and improvement of natural resources located off of a military installation or State-owned National Guard installation if the purpose of the cooperative agreement or interagency agreement is to relieve or eliminate current or anticipated challenges that could restrict, impede, or otherwise interfere with, whether directly or indirectly, current or anticipated military activities.

(b) Multiyear agreements

(1) Funds appropriated to the Department of Defense for a fiscal year may be obligated to cover the cost of goods and services provided under a cooperative agreement or interagency agreement entered into under subsection (a) or through an agency agreement under section 1535 of title 31 during any 18-month period beginning in that fiscal year, without regard to whether the agreement crosses fiscal years.

(2) In the case of a cooperative agreement under subsection (a)(2), such funds—

(A) may be paid in a lump sum and include an amount intended to cover the future costs of the natural resource maintenance and improvement activities provided for under the agreement; and

(B) may be placed by the recipient in an interest-bearing or other investment account, and any interest or income shall be applied for the same purposes as the principal.

(3) If any funds are placed by a recipient in an interest-bearing or other investment account under paragraph (2)(B), the Secretary of Defense shall report biennially to the congressional defense committees on the disposition of such funds.

(c) Availability of funds; agreement under other laws

(1) Cooperative agreements and interagency agreements entered into under this section shall be subject to the availability of funds.

(2) Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit or use of the United States Government.

(Pub. L. 86–797, title I, §103a, as added Pub. L. 101–189, div. B, title XXVIII, §2845(a), Nov. 29, 1989, 103 Stat. 1664; amended Pub. L. 105–85, div. B, title XXIX, §2908, Nov. 18, 1997, 111 Stat. 2021; Pub. L. 110–417, [div. A], title III, §313, Oct. 14, 2008, 122 Stat. 4409; Pub. L. 111–84, div. A, title III, §313, Oct. 28, 2009, 123 Stat. 2248; Pub. L. 112–81, div. A, title III, §312(a)(3), (b)(3), Dec. 31, 2011, 125 Stat. 1352, 1353; Pub. L. 112–239, div. A, title III, §312(a), Jan. 2, 2013, 126 Stat. 1691; Pub. L. 113–291, div. A, title III, §312, Dec. 19, 2014, 128 Stat. 3336.)

CODIFICATION

Pub. L. 113–291, §312, which directed amendment of section “103A” of the Sikes Act, was executed to this section, which is section 103a of that Act, to reflect the probable intent of Congress. See 2014 Amendment notes below.

AMENDMENTS

2014—Subsec. (b). Pub. L. 113–291, §312(a), designated existing provisions as par. (1) and added pars. (2) and (3). See Codification note above.

Subsec. (c). Pub. L. 113–291, §312(b), amended subsec. (c) generally. See Codification note above. Prior to amendment, text read as follows: “Cooperative agreements and interagency agreements entered into under this section shall be subject to the availability of funds 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—