

Public Law 100-240
100th Congress

An Act

To amend the National Fish and Wildlife Foundation Establishment Act with respect to management requisition, and disposition of real property, reauthorization, and participation of foreign governments.

Jan. 11, 1988
[S. 1389]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PURPOSES OF THE FOUNDATION.

(a) IN GENERAL.—Section (2)(b) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701(b)) is amended—

- (1) by striking out “and” at the end of paragraph (1);
- (2) by striking out the period at the end of paragraph (2) and inserting “; and”; and
- (3) by adding at the end thereof the following:

“(3) to participate with, and otherwise assist, foreign governments, entities, and individuals in undertaking and conducting activities that will further the conservation and management of the fish, wildlife, and plant resources of other countries.”

(b) CONFORMING AMENDMENT.—Section 4(a)(2) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703(a)(2)) is amended by inserting “and abroad” after “United States”.

SEC. 2. ACQUISITION, MANAGEMENT, AND DISPOSAL OF REAL PROPERTY.

(a) IN GENERAL.—Section 4 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703) is amended by adding at the end thereof the following:

“(e) ACQUISITION, MANAGEMENT AND DISPOSAL OF REAL PROPERTY.—(1) The Foundation may only use Federal funds for the acquisition of interests in real property if—

“(A) the interest is a long-term property interest, and

“(B) the Director of the United States Fish and Wildlife Service (hereafter in this subsection referred to as the “Director”) consents to the acquisition in writing.

“(2) The Foundation shall convey to the United States Fish and Wildlife Service for inclusion within the National Wildlife Refuge System any real property acquired by the Foundation in whole or in part with Federal funds if the Director, within one year after the date on which the property was acquired by the Foundation, requests the conveyance in writing.

“(3)(A) Subject to subparagraph (B), the Foundation may—

“(i) convey to another person any real property acquired in whole or in part with Federal funds and not conveyed under paragraph (2); and

“(ii) grant or otherwise provide Federal funds to another person for purposes of assisting that person to acquire real property in whole or in part with such funds.

“(B) The Foundation may only make a conveyance or provide Federal funds under subparagraph (A) if—

“(i) the conveyance or provision is subject to terms and conditions that will ensure that the real property will be administered for the long-term conservation and management of fish and wildlife and in a manner that will provide for appropriate public access and use; and

“(ii) the Director finds that conveyance or provision of Federal funds meets the requirements of clause (i) and consents to it in writing.

“(4) All real property acquired by the Foundation in whole or in part with Federal funds and held by it shall be administered for the conservation and management of fish and wildlife and in a manner that will provide for appropriate public access and use.

“(5) The Foundation shall convey at not less than fair-market value any real property acquired by it in whole or in part with Federal funds if the Foundation and the Director determine, in writing, that—

“(A) the land is no longer valuable for the purposes of fish and wildlife conservation or management, and

“(B) the purposes of the Foundation would be better served by the use of the Federal funds for other authorized activities of the Foundation.”.

(b) CONFORMING AMENDMENTS.—(1) Section 4(c)(2) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3703(c)(2)) is amended by striking “therein;” and inserting in lieu thereof the following: “therein, subject to subsection (e);”.

(2) Section 7(b) of such Act (16 U.S.C. 3706(b)) is amended by inserting before the period the following: “; and a description of all acquisition and disposal of real property that is subject to section 4(e).”.

SEC. 3. REIMBURSEMENT FOR ADMINISTRATIVE SERVICES.

Section 5 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3704) is amended—

(1) by inserting “(a) PROVISION OF SERVICES.—” before “The Secretary”;

(2) by striking out “Act,” and all that follows thereafter and inserting “Act.”; and

(3) by adding at the end thereof the following:

“(b) REIMBURSEMENT.—The Foundation may reimburse the Secretary for any administrative service provided under subsection (a). The Secretary shall deposit any reimbursement received under this subsection into the Treasury to the credit of the appropriations then current and chargeable for the cost of providing such services.”.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

Section 10 of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3709) is amended to read as follows:

“SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to the Department of the Interior for each of fiscal years 1988 through 1993, inclusive, not to exceed \$5,000,000 to be made available to the Foundation—

- “(1) to match partially or wholly the amount or value of contributions (whether in currency, services, or property) made to the Foundation by private persons and State and local government agencies; and
- “(2) to provide administrative services under section 5.”

Approved January 11, 1988.

CONGRESSIONAL RECORD AND DECLARATION OF POLICY

Section 2. The Congress finds and declares that—

(1) the Alaska Native Claims Settlement Act was enacted in 1971 to adjust a fair and just settlement of all aboriginal land and hunting and fishing claims by Indians and Native groups of Alaska with maximum participation by Natives in decisions affecting their rights and property;

(2) the settlement enabled Natives to participate in the rapid growth of Alaska's economy, encouraged efforts to address serious health and social problems in Native villages, and sparked a renaissance of interest in the cultural heritage of the Native peoples of Alaska;

(3) despite these achievements and Congress's desire that the settlement be accomplished rapidly without litigation and in conformity with the real economic and social needs of Natives, the complexity of the land conveyance process and the amount of litigation have delayed implementation of the settlement and diminished its value;

(4) Natives have differing opinions as to whether the Native Corporation as originally envisioned by the Alaska Native Claims Settlement Act is well adapted to the reality of life in Native villages and to the continuation of traditional Native cultural values;

(5) to ensure the continued success of the settlement and to guarantee Natives continued participation in decisions affecting their rights and property, the Alaska Native Claims Settlement Act must be amended to enable the shareholders of each Native Corporation to structure the further implementation of the settlement in light of their particular circumstances and needs;

(6) among other things, the shareholders of each Native Corporation must be permitted to decide—

(A) when termination of the settlement should be

LEGISLATIVE HISTORY—S. 1389:

SENATE REPORTS: No. 100-255 (Comm. on Environment and Public Works).
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 Dec. 18, considered and passed Senate.
 Dec. 21, considered and passed House.