

## SIKES ACT

16 U.S.C. §§ 670a-670o, September 15, 1960, as amended 1968, 1974, 1978, 1982, 1986, 1988 and 1989.

**Overview.** The Sikes Act authorizes the Secretary of Defense to develop cooperative plans for conservation and rehabilitation programs on military reservations and to establish outdoor recreation facilities. The Act also provides for the Secretaries of Agriculture and the Interior to develop cooperative plans for conservation and rehabilitation programs on public lands under their jurisdiction.

**Selected Definitions.** Conservation and rehabilitation programs, as used in the Act's provisions on public lands: to utilize methods and procedures necessary to protect, conserve and enhance wildlife, fish, and game resources to the maximum extent practicable on public lands, consistent with applicable land use and management plans. Off-road vehicle, as used in the Act's provisions on public lands: any motorized vehicle designed for, or capable of, cross-country travel over natural terrain, excluding registered motorboats (at the option of the state), military, fire, emergency, or law enforcement vehicles when used for emergency purposes, or vehicles authorized by the Secretary of the Interior or the Secretary of Agriculture under permit, lease, license or contract. Public land: all lands under the jurisdiction of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Energy, or the Administrator of the National Aeronautics and Space Administration (NASA), except land designated as a military reservation, a unit of the National Park System, an area within the national wildlife refuge system, an Indian reservation or other Indian trust lands. State agency: the agency or agencies of a state responsible for administration of state fish and game laws. § 670k.

**Conservation Programs on Military Reservations.** The Secretary of Defense is authorized to carry out a program of planning for, and the development, maintenance, and coordination of, wildlife, fish, and game conservation and rehabilitation in each military reservation in accordance with a cooperative plan agreed upon by the Secretary of Defense, the Secretary of the Interior, and the appropriate state agency for the state in which the reservation is located. Each cooperative plan shall provide for: fish and wildlife habitat improvements or modifications; range rehabilitation where necessary to support wildlife; control of off-road vehicle traffic; specific habitat improvement projects and related activities and adequate protection for species of fish, wildlife and plants considered threatened or endangered. As a general rule, once a cooperative plan is agreed to, no sale or lease of land on a military reservation, or sale of forest products from the land, may be undertaken unless the effects of the sale or leasing are compatible with the purposes of the plan. Cooperative plans are to be reviewed at least every five years. § 670a.

The Secretary of each military department (Army, Navy, Air Force) shall manage the natural resources of each military reservation under the Secretary's jurisdiction, to the extent not inconsistent with the military mission of the reservation, so as to provide for sustained multipurpose uses of those resources and to provide the public access necessary or appropriate for those uses. To the extent feasible, the services necessary for developing, implementing and enforcing fish and wildlife management on military reservations are to be provided by Department of Defense personnel with professional training in those services. § 670a-1.

The Secretary of Defense in cooperation with the Secretary of the Interior and the appropriate state agency may carry out a program for the conservation, restoration and management of migratory game birds on military reservations, including issuing special hunting permits and collecting fees. Possession of a special permit for hunting migratory game birds does not relieve the permittee of the requirements of the Migratory Bird Hunting and Conservation Stamp Act or applicable state laws. § 670b.

The Secretary of Defense is authorized to carry out a program for the development, enhancement,

operation and maintenance of public outdoor recreation resources at military reservations under a cooperative plan agreed upon by the Secretaries of Defense and the Interior, in consultation with the appropriate state agency for the state in which reservations are located. § 670c.

The Secretary of Defense may enter into cooperative agreements with states, local governments, nongovernmental organizations and individuals to provide for the maintenance and improvement of natural resources on, or to benefit natural and historic research on, Department of Defense installations. A cooperative agreement shall provide for the Secretary of Defense and the other party or parties to the agreement to contribute funds and furnish services on a matching basis to carry out programs, projects and activities under the agreement. § 670c-1.

**Conservation Programs on Public Lands.** The Secretary of the Interior and the Secretary of Agriculture are required, in cooperation with state agencies and in accordance with comprehensive plans described below, to plan, develop, maintain and coordinate programs for conservation and rehabilitation of wildlife, fish and game under their jurisdiction. With approval, the Secretary of the Interior can also implement programs on Department of Energy or NASA lands. 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. § 670g.

The Secretary of the Interior and the Secretary of Agriculture shall each develop, in consultation with state agencies, a comprehensive plan for conservation and rehabilitation programs to be implemented on public land under their jurisdictions. State agencies may enter into cooperative agreements with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Energy, or the Administrator of NASA, as the case may be, for program implementation. Cooperative agreements shall: provide for fish and wildlife habitat improvements or modifications; provide for range rehabilitation where necessary for support of wildlife; require the control of off-road vehicle traffic.

The Secretaries of the Interior and Agriculture are directed to prescribe regulations, consistent with applicable comprehensive plans and cooperative agreements, to control the public use of public land which is the subject of any conservation and rehabilitation program implemented under the Act. § 670h.

State agencies may agree with the Secretaries of the Interior and Agriculture that hunting, trapping, or fishing on public land subject to a conservation and rehabilitation program is allowed only with a valid public land management area stamp issued under the Act. Such stamps are to be issued and sold, and fees collected, by the state agency or by authorized agents of the agency. The fees collected for the stamps will be used to carry out conservation and rehabilitation programs in the state concerned. These provisions do not apply in states where Forest Service or Bureau of Land Management land comprises 60 percent or more of the total area of the state. However, in these states, the state agency may agree to collect a fee on hunting and fishing licenses, with proceeds to be used for conservation and rehabilitation programs in the state. §§ 670i and 670l.

A person who hunts, traps or fishes on public land subject to a conservation and rehabilitation program without a valid public land management area stamp, if required, is subject to a fine, imprisonment for not more than six months, or both. Knowing violation or failure to comply with regulations is subject to similar penalties. (See the summary of the Sentencing Reform Act of 1984 for more information on criminal penalties.) All guns, traps, nets, and other equipment, vessels, vehicles, and other means of transportation used in committing an offense is subject to forfeiture to the U.S. § 670j.

Nothing in the Act's provisions on public lands may enlarge, diminish or affect: the rights of Indians or Indian tribes to the use of water or natural resources or their rights to fish, trap or hunt wildlife as secured by statute, agreement, treaty, executive order or court decree; or existing state or federal

jurisdiction to regulate those rights either on or off reservations. § 670m.

**Appropriations Authorized.** To carry out the Act's provisions regarding military reservations, Congress authorized the sum of \$1,500,000 a year to be appropriated to the Secretary of Defense and \$3,000,000 a year to be appropriated to the Secretary of the Interior, through fiscal year 1993. Both the Secretary of Defense and the Secretary of the Interior may use authorities available under other laws to help them carry out the Act on military lands § 670f.

To carry out the Act's provisions regarding public lands, Congress authorized the sum of \$10 million a year to be appropriated to the Secretary of the Interior and \$12 million a year to be appropriated to the Secretary of Agriculture, through fiscal year 1993. Such funds were intended to be in addition to funds available under other laws. § 670o.

---

[Chapter 4 - Statute Summaries](#)  
[Federal Wildlife & Related Laws Handbook](#)