

113TH CONGRESS  
2D SESSION

# H. R. 4309

To amend the Sikes Act to make certain improvements to the administration of cooperative agreements for land management related to Department of Defense readiness activities, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2014

Ms. BORDALLO introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Sikes Act to make certain improvements to the administration of cooperative agreements for land management related to Department of Defense readiness activities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. COOPERATIVE AGREEMENTS UNDER SIKES**  
2 **ACT FOR LAND MANAGEMENT RELATED TO**  
3 **DEPARTMENT OF DEFENSE READINESS AC-**  
4 **TIVITIES.**

5 (a) MULTIYEAR AGREEMENTS TO FUND LONG-TERM  
6 MANAGEMENT.—Subsection (b) of section 103A of the  
7 Sikes Act (16 U.S.C. 670e–1) is amended—

8 (1) by inserting “(1)” before “Funds”; and

9 (2) by adding at the end the following new  
10 paragraph:

11 “(2) In the case of a cooperative agreement under  
12 subsection (a)(2), funds referred to in paragraph (1)—

13 “(A) may be paid in a lump sum and include  
14 an amount intended to cover the future costs of the  
15 natural resource maintenance and improvement ac-  
16 tivities provided for under the agreement;

17 “(B) may be invested by the recipient in ac-  
18 cordance with the recipient’s own guidelines for the  
19 management and investment of financial assets, and  
20 any interest or income derived from such investment  
21 may be applied for the same purposes as the prin-  
22 cipal; and

23 “(C) may be used only for payment of—

24 “(i) direct costs of maintenance and im-  
25 provement of natural resources on the lands  
26 within the scope of the agreement; and

1           “(ii) indirect and administrative costs, as  
2           determined in accordance with official guidance  
3           issued by the Office of Management and Budget,  
4           but not to exceed 10 percent of the total  
5           cost of the project.”.

6           (b) AVAILABILITY OF FUNDS AND RELATION TO  
7 OTHER LAWS.—Subsection (c) of such section is amended  
8 to read as follows:

9           “(c) AVAILABILITY OF FUNDS AND RELATION TO  
10 OTHER LAWS.—(1) Cooperative agreements and inter-  
11 agency agreements entered into under this section shall  
12 be subject to the availability of funds.

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

17           “(3) Amounts available to the Department of Defense  
18 may not be used under this Act to acquire fee title interest  
19 in real property for natural resources projects that are not  
20 on a military installation.”.

21           (c) AUDIT.—The Inspector General of the Depart-  
22 ment of Defense shall conduct an audit of the natural re-  
23 sources projects funded with amounts available to the De-  
24 partment of Defense under the Sikes Act, as amended by  
25 this section, that is not on a military installation. Not later

1 than October 1, 2018, the Inspector General shall submit  
2 to Congress a report on the audit conducted under this  
3 subsection.

4 (d) SUNSET.—This section and the provisions of law  
5 enacted by the amendments made by this section shall ex-  
6 pire on October 1, 2019, except that any cooperative  
7 agreement referred to in such provisions that is entered  
8 into on or before September 30, 2019, shall continue ac-  
9 cording to its terms and conditions as if this section has  
10 not expired.

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