

110TH CONGRESS
1ST SESSION

S. 2442

To provide the Secretary of Agriculture with alternatives to comply with the Federal Property and Administrative Services Act.

IN THE SENATE OF THE UNITED STATES

DECEMBER 11, 2007

Mr. KYL introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To provide the Secretary of Agriculture with alternatives to comply with the Federal Property and Administrative Services Act.

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

3 **SECTION 1. STEWARDSHIP END-RESULT CONTRACTING**
4 **PROJECTS.**

5 Section 8 of the Cooperative Forestry Assistance Act
6 of 1978 (16 U.S.C. 2104) is amended—

7 (1) by redesignating subsection (h) as sub-
8 section (j) and moving that subsection so as to ap-
9 pear at the end of the section; and

1 (2) by inserting after subsection (g) the fol-
2 lowing:

3 “(h) CANCELLATION OR TERMINATION COSTS.—

4 “(1) IN GENERAL.—Notwithstanding section
5 304B of the Federal Property and Administrative
6 Services Act of 1949 (41 U.S.C. 254c), the Sec-
7 retary is not required to obligate funds to cover the
8 cost of cancelling a Forest Service stewardship
9 multiyear contract under section 347 of the Depart-
10 ment of the Interior and Related Agencies Appro-
11 priations Act, 1999 (16 U.S.C. 2104 note; section
12 101(e) of division A of Public Law 105–277) until
13 the contract is cancelled.

14 “(2) FUNDING SOURCES.—The costs of any
15 cancellation or termination of a multiyear steward-
16 ship contract described in paragraph (1) may be
17 paid from—

18 “(A) appropriations originally made avail-
19 able for the performance of the contract con-
20 cerned;

21 “(B) appropriations currently available for
22 procurement of the type of service concerned,
23 and not otherwise obligated; or

24 “(C) funds appropriated for payments for
25 that performance or procurement.

1 “(3) ANTI-DEFICIENCY ACT VIOLATIONS.—In a
2 case in which payment or obligation of funds under
3 this subsection would constitute a violation of sec-
4 tion 1341 of title 31, United States Code (commonly
5 known as the ‘Anti-Deficiency Act’), the Secretary
6 may—

7 “(A) seek a supplemental appropriation; or

8 “(B) request funds from the permanent
9 judgment appropriation established pursuant to
10 section 1304 of title 31, United States Code.”.

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