

Union Calendar No. 485

113TH CONGRESS
2^D SESSION

H. R. 4309

[Report No. 113–647, Part I]

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.

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

DECEMBER 8, 2014

Reported from the Committee on Natural Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]

DECEMBER 8, 2014

The Committee on Armed Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on March 26, 2014]

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,*

3 **SECTION 1. COOPERATIVE AGREEMENTS UNDER SIKES ACT**
 4 **FOR LAND MANAGEMENT RELATED TO DE-**
 5 **PARTMENT OF DEFENSE READINESS ACTIVI-**
 6 **TIES.**

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

10 *(1) by inserting “(1)” before “Funds”; and*

11 *(2) by adding at the end the following new para-*
 12 *graph:*

13 *“(2) In the case of a cooperative agreement under sub-*
 14 *section (a)(2), funds referred to in paragraph (1)—*

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

19 *“(B) may be invested by the recipient in accord-*
 20 *ance with the recipient’s own guidelines for the man-*
 21 *agement and investment of financial assets, and any*
 22 *interest or income derived from such investment may*
 23 *be applied for the same purposes as the principal;*
 24 *and*

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

1 “(i) direct costs of maintenance and im-
 2 provement of natural resources on the lands
 3 within the scope of the agreement and only pur-
 4 suant to an approved Department of Defense In-
 5 tegrated Natural Resource Management Plan;
 6 and

7 “(ii) indirect and administrative costs, as
 8 determined in accordance with official guidance
 9 issued by the Office of Management and Budget,
 10 but not to exceed 10 percent of the total cost of
 11 the project.”.

12 (b) *AVAILABILITY OF FUNDS AND RELATION TO*
 13 *OTHER LAWS.*—Subsection (c) of such section is amended
 14 to read as follows:

15 “(c) *AVAILABILITY OF FUNDS AND RELATION TO*
 16 *OTHER LAWS.*—(1) Cooperative agreements and inter-
 17 agency agreements entered into under this section shall be
 18 subject to the availability of funds.

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

23 “(3) Amounts available to the Department of Defense
 24 may not be used under this Act to acquire fee title interest

1 *in real property for natural resources projects that are not*
2 *on a military installation.”.*

3 (c) *AUDIT.—The Inspector General of the Department*
4 *of Defense shall conduct an audit of the natural resources*
5 *projects funded with amounts available to the Department*
6 *of Defense under the Sikes Act, as amended by this section,*
7 *that is not on a military installation. Not later than Octo-*
8 *ber 1, 2018, the Inspector General shall submit to Congress*
9 *a report on the audit conducted under this subsection.*

10 (d) *SUNSET.—This section and the provisions of law*
11 *enacted by the amendments made by this section shall ex-*
12 *pire on October 1, 2019, except that any cooperative agree-*
13 *ment referred to in such provisions that is entered into on*
14 *or before September 30, 2019, shall continue according to*
15 *its terms and conditions as if this section has not expired.*

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