

110TH CONGRESS  
1ST SESSION

# S. 2442

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

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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

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## 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18                 “(A) appropriations originally made avail-  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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