

of the natural resource maintenance and improvement activities provided for under the agreement; and

(B) may be placed by the recipient in an interest-bearing or other investment account, and any interest or income shall be applied for the same purposes as the principal.

(3) If any funds are placed by a recipient in an interest-bearing or other investment account under paragraph (2)(B), the Secretary of Defense shall report biennially to the congressional defense committees on the disposition of such funds.

(c) Availability of funds; agreement under other laws

(1) Cooperative agreements and interagency agreements entered into under this section shall be subject to the availability of funds.

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

(Pub. L. 86-797, title I, §103a, as added Pub. L. 101-189, div. B, title XXVIII, §2845(a), Nov. 29, 1989, 103 Stat. 1664; amended Pub. L. 105-85, div. B, title XXIX, §2908, Nov. 18, 1997, 111 Stat. 2021; Pub. L. 110-417, [div. A], title III, §313, Oct. 14, 2008, 122 Stat. 4409; Pub. L. 111-84, div. A, title III, §313, Oct. 28, 2009, 123 Stat. 2248; Pub. L. 112-81, div. A, title III, §312(a)(3), (b)(3), Dec. 31, 2011, 125 Stat. 1352, 1353; Pub. L. 112-239, div. A, title III, §312(a), Jan. 2, 2013, 126 Stat. 1691; Pub. L. 113-291, div. A, title III, §312, Dec. 19, 2014, 128 Stat. 3336.)

CODIFICATION

Pub. L. 113-291, §312, which directed amendment of section “103A” of the Sikes Act, was executed to this section, which is section 103a of that Act, to reflect the probable intent of Congress. See 2014 Amendment notes below.

AMENDMENTS

2014—Subsec. (b). Pub. L. 113-291, §312(a), designated existing provisions as par. (1) and added pars. (2) and (3). See Codification note above.

Subsec. (c). Pub. L. 113-291, §312(b), amended subsec. (c) generally. See Codification note above. Prior to amendment, text read as follows: “Cooperative agreements and interagency agreements entered into under this section shall be subject to the availability of funds and shall not be considered, nor be treated as, cooperative agreements to which chapter 63 of title 31 applies.”

2013—Subsec. (a). Pub. L. 112-239, which directed amendment of section 103A of Pub. L. 86-797 by inserting “Indian tribes,” after “local governments,” in introductory provisions of subsec. (a), was executed to this section, which is section 103a of Pub. L. 86-797, to reflect the probable intent of Congress.

2011—Pub. L. 112-81, §312(b)(3)(A), (B), inserted section catchline.

Subsec. (a). Pub. L. 112-81, §312(b)(3)(C), inserted heading.

Subsec. (a)(1). Pub. L. 112-81, §312(a)(3)(A), substituted “military installations and State-owned National Guard installations” for “Department of Defense installations”.

Subsec. (a)(2). Pub. L. 112-81, §312(a)(3)(B), substituted “military installation or State-owned National Guard installation” for “Department of Defense installation”.

Subsec. (c). Pub. L. 112-81, §312(b)(3)(D), inserted heading.

2009—Pub. L. 111-84 inserted, in section catchline, “and interagency” after “Cooperative”, in subsec. (a), “; and into interagency agreements with the heads of other Federal departments and agencies,” after “and individuals” in introductory provisions and “or interagency agreement” after “cooperative agreement” in par. (2), in subsec. (b), “or interagency agreement” after “cooperative agreement”, and, in subsec. (c), “and interagency agreements” after “Cooperative agreements”.

2008—Subsec. (a). Pub. L. 110-417 substituted “to provide for the following:

“(1) The”

for “to provide for the” and added par. (2).

1997—Subsec. (a). Pub. L. 105-85, §2908(1), substituted “Secretary of a military department” for “Secretary of Defense”.

Subsec. (b). Pub. L. 105-85, §2908(2), added heading and text of subsec. (b) and struck out former subsec. (b) which read as follows: “A cooperative agreement shall provide for the Secretary of Defense and the other party or parties to the agreement—

“(1) to contribute funds on a matching basis to defray the cost of programs, projects, and activities under the agreement; or

“(2) to furnish services on a matching basis to carry out such programs, projects, and activities, or to do both.”

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective Dec. 31, 2021, of provisions in subsec. (b)(3) of this section requiring submittal of report to Congress, see section 1061 of Pub. L. 114-328, set out as a note under section 111 of Title 10, Armed Forces.

§ 670d. Liability for funds; accounting to Comptroller General

The Department of Defense is held free from any liability to pay into the Treasury of the United States upon the operation of the program or programs authorized by this subchapter any funds which may have been or may hereafter be collected, received or expended pursuant to, and for the purposes of, this subchapter, and which collections, receipts and expenditures have been properly accounted for to the Comptroller General of the United States.

(Pub. L. 86-797, title I, §104, formerly §4, Sept. 15, 1960, 74 Stat. 1053; renumbered title I, §104, and amended Pub. L. 93-452, §3(1), (4), Oct. 18, 1974, 88 Stat. 1375; Pub. L. 112-81, div. A, title III, §312(b)(4), Dec. 31, 2011, 125 Stat. 1353.)

AMENDMENTS

2011—Pub. L. 112-81 inserted section catchline.

1974—Pub. L. 93-452, §3(4), substituted “title” for “Act” wherever appearing, which for purposes of codification was translated as “subchapter”.

§ 670e. Applicability to other laws; national forest lands

Nothing herein contained shall be construed to modify, amend or repeal any provision of Public Law 85-337, nor as applying to national forest lands administered pursuant to the provisions of section 9 of the Act of June 7, 1924 (43 Stat. 655), nor section 315m of title 43.

(Pub. L. 86-797, title I, §105, formerly §5, Sept. 15, 1960, 74 Stat. 1053; renumbered title I, §105, Pub. L. 93-452, §3(1), Oct. 18, 1974, 88 Stat. 1375; amended Pub. L. 112-81, div. A, title III, §312(b)(5), Dec. 31, 2011, 125 Stat. 1353.)