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October 7, 2010

Tom Fish  
National Coordinator  
CESU Network  
1849 C Street NW, #2723

Re: Cooperative Agreement Authority (NSGLC-10-04-05)

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Dear Tom,

Please find attached the summaries of federal laws regarding cooperative agreement authority as requested by the CESU Network. Specifically, you were interested in the authority of agencies in the CESU Network to enter into cooperative agreements with regard to environmental, natural, and cultural heritage resources. The attached information is intended as advisory research only and does not constitute legal representation of the CESU Network or its constituents. It represents our interpretations of the relevant laws and regulations.

This report was prepared using traditional legal research methods. Research associates used Lexis and Westlaw, online legal databases, to find relevant laws addressing cooperative agreements. I hope you find the following information useful. The Law Center would be happy to conduct any follow-up research if you have any additional questions.

Thank you for bringing your questions to the Law Center and we look forward to working with you in the future.

Sincerely,

Terra Bowling  
Research Counsel, National Sea Grant Law Center

# Cooperative Agreement Authority

## Prepared for CESU

*U. S Department of the Interior*  
*U.S. Department of Agriculture*  
*U.S. Department of Defense*  
*U.S. Department of Commerce*  
*National Aeronautics and Space Administration*  
*U.S. Environmental Protection Agency*  
*U.S. Department of Homeland Security*

## Department of the Interior

### Bureau of Indian Affairs

**American Indian Agricultural Resource Management Act 25 U.S.C. 3733** contains provisions that allow the federal government and tribal governments to exercise concurrent jurisdiction over trespass to agricultural lands (25 U.S.C. 3713(c)), and authorize cooperative agreements between the Department of the Interior and Indian tribes for certain purposes, including cooperative manpower and job training, the development and publication of cooperative agricultural education and resource planning materials, the improvement of land and facilities, and natural resource (*sic*) management and development.

**National Indian Forest Resources Management Act 25 U.S.C. 3115** contains a provision that allows cooperative agreements between the Department of the Interior and Indian tribes for certain purposes, including cooperative manpower and job training and development programs, and development and publication of cooperative environmental education materials, and other purposes dealing with natural resource management.

### Bureau of Land Management

**Fire Protection 42 U.S.C. § 1856a** Section 2 of the Reciprocal Fire Protection Agreements Act authorizes the head of any agency, which provides fire protection to property of the U.S., to sign cooperative agreements with nearby fire protection agencies for mutual aid and support.

**Watershed Restoration and Enhancement 16 U.S.C. § 1011(a)** The Wyden Amendment authorizes BLM to use appropriated funds to enter into and implement cooperative agreements with public and private entities to restore and enhance watersheds, including those outside public lands if appropriate criteria are met. 16 U.S.C. § 1011(a), as modified by the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999, Pub. L. No.105-277, Div. A, Title I, § 136, 112 Stat. 2681-266 (Oct. 7, 1998).

**Management, Protection, Development, and Sale of Public Lands 43 U.S.C. § 1737(b)** Subject to the provisions of applicable law, Section 307(b) of FLPMA authorizes the Secretary to enter into contracts and cooperative agreements involving the management, protection, development, and sale of public lands.

**Range Improvements 43 U.S.C. § 315(c)** Section 4 of the Taylor Grazing Act authorizes the Secretary to enter into cooperative agreements, or grant permits, for the construction of fences, wells, reservoirs, or other improvements necessary to the care and management of livestock that are permitted to graze on public lands managed by BLM.

**Challenge Cost-Share Authority 31 U.S.C. § 6305 note** BLM implements a challenge cost-share program that enables BLM to provide payments to public and private agencies, organizations, institutions, and individuals who provide cash, materials, or in-kind work in furtherance of a public purpose. Activities of partners under this program include resource monitoring, habitat improvement, and enhancement of recreational experiences. (As revised, the statute provides an executive agency to use cooperative agreements to transfer a “thing of value” to the state, local government or other recipient to carry out a public purpose.) In the Historical and Statutory Notes: Pub.L. 101-512, Title I, Nov. 5, 1990, 104 Stat. 1918 provided that the BLM is authorized to enter cooperative agreements with public and private agencies to implement cost-share programs

**Agreements Regarding Subsistence Management and Use of Public Lands in Alaska 16 U.S.C. § 3119** The Alaska National Interest Lands Conservation Act authorizes the Secretary to enter into cooperative agreements and otherwise cooperate with other federal agencies, the state, native corporations, and other appropriate persons and organizations to effectuate the purpose and policies of subsistence management and use of public lands in Alaska.

**Santa Rosa and San Jacinto Mountains Pub. L. No. 106-351, § 4(c)** The Santa Rosa and San Jacinto Mountains National Monument Act of 2000 authorizes the Secretaries of the Interior and Agriculture to enter into cooperative agreements and shared management arrangements with any person to manage, interpret, research, and to provide education regarding the resources of the National Monument. In addition, section 7 authorizes the Secretaries to jointly establish an advisory committee to advise the Secretaries in the preparation and implementation of the management plan for the National Monument.

### **Bureau of Reclamation**

**Grants to Facilitate Development, Management, and Protection of Indian Water Resources Pub. L. No. 108-7** Section 201 of the Consolidated Appropriations Resolution, 2003, Section 2, Division D, Title II (Department of the Interior) authorizes the Secretary of the Interior, acting through the Commissioner of Reclamation, to enter into grants and cooperative agreements with any Indian tribe, institution of higher education, national Indian organization, or tribal organization, pursuant to 31 U.S.C. §§ 6301-6308, in order to increase opportunities for Indian tribes to develop, manage, and protect their water resources, in FY 2003 and thereafter.

**Habitat Restoration Associated with Reclamation Projects 16 U.S.C. §§ 661 et seq.** Section 1 of the Fish and Wildlife Coordination Act provides authorization to the Secretary to provide assistance to, and cooperate with, federal, state and public or private agencies and organizations in the development, protection, rearing, and stocking of all species of wildlife, resources thereof, and their habitat, in controlling losses of the same from disease or other causes. . .and in carrying out other measures necessary to effectuate the purposes of the law. While the authority is delegated primarily to the Fish and Wildlife Service, the Secretary in 1996 provided to the Commissioner of Reclamation a limited delegation of Section 1 authority “as is necessary to provide assistance, through grants or cooperative agreements, to public or private organizations for the improvement of fish and wildlife habitat associated with water systems or water supplies affected by Reclamation projects.” *See also*, 255 Departmental Manual 14.1.

**Preparation of Drought Contingency Plans 43 U.S.C. § 2215** This law authorizes Secretary to provide financial assistance in the form of cooperative agreements in states that are eligible to receive drought assistance “under this subchapter to promote the development of drought contingency plans under subchapter II of this chapter.”

**Security and Law Enforcement 43 U.S.C. § 373b** This law authorizes BOR to enter into contracts and cooperative agreements in order to provide security and law enforcement for Reclamation property, land, and facilities. 43 C.F.R. 422.9 outlines the requirements for such contracts and cooperative agreements with local and state law enforcement agencies for the purposes of protecting dams, facilities, property and the public.

### **Minerals Management Service**

**General Cooperative Agreement Authority 43 U.S.C. 1345(e)** OCSLA authorizes the Interior Secretary to enter into cooperative agreements with affected states for purposes which are consistent with OCSLA. Such agreements may include, but need not be limited to, the sharing of information (in accordance with 43 U.S.C. 1352), the joint utilization of available expertise, the facilitating of permitting procedures, joint planning and review, and the formation of joint surveillance and monitoring arrangements to carry out applicable federal and state laws, regulations, and stipulations relevant to outer Continental Shelf operations both onshore and offshore.

**Federal and Indian Lands Oil or Gas Royalty Cooperative Agreements 30 U.S.C. §1732(a)** The Interior Secretary is authorized to enter into cooperative agreements with any state or Indian tribe to share oil or gas royalty management information, to carry out inspection, auditing, investigation, or enforcement (not including the collection of royalties, civil or criminal penalties or other payments) activities and vehicle inspection activities.

**Funding of Research Agreements 43 U.S.C. §1471(f)** This law provides authority for the Department to use its own appropriations and any received from other federal agencies to incrementally fund research projects that may overlap more than one fiscal year, using work

orders under cooperative agreements with colleges and universities, state agencies, and non-profit organizations.

**Methane Hydrate Research and Development Program Pub. L. No. 106-193** The Methane Hydrate Research and Development Act of 2000 authorizes appropriations for the establishment of a methane hydrate research and development program within the Department of Energy (DOE). DOE is directed to carry out this program in consultation with U.S. Navy, USGS, Minerals Management Service, and the National Science Foundation through grants, contracts, and cooperative agreements with universities and industrial enterprises. The purpose is to study the use of methane hydrate as an energy source. This Act sunsets the methane hydrate research and development program at the end of FY 2005.

### **U.S. Fish and Wildlife Service**

**Partnerships for Fish and Wildlife Purposes 16 U.S.C. 661 *et seq.*** The Fish and Wildlife Coordination Act provides authority for the Secretary to enter into agreements with federal and state agencies, as well as public and private organizations, to assist in the protection of fish and wildlife and their habitats. This broad authority includes provisions for the Secretary to receive donations of lands and funds, as well as to enter into grants and cooperative agreements for the benefit of fish and wildlife species and their habitat.

**Partnerships to Benefit Fish and Wildlife Resources 16 U.S.C. 742a. *et seq.*** The Fish and Wildlife Act of 1956 grants the Secretary broad authority to, “take such steps as may be required for the development, advancement, management, conservation, and protection of fish and wildlife resources. ...” The statute specifically authorizes the acceptance of gifts and the services of volunteers for programs and projects that benefit the mission of the U.S. Fish and Wildlife Service. Further, the act specifically authorizes the Secretary to enter into cooperative agreements for programs and projects to benefit specific units of the National Wildlife Refuge System. (Specific Citation: 16 U.S.C. § 742f)

**Cooperation with States for Law Enforcement 16 U.S.C. 7421** The Fish and Wildlife Improvement Act of 1978 authorizes the Secretary to establish, conduct and assist with national training programs for state fish and wildlife law enforcement personnel. The Act provides authority for the Secretary to enter law enforcement cooperative agreements with state or other federal agencies.

**Fish and Wildlife Resources Cooperative Agreements 16 U.S.C. § 753a** The Fish and Wildlife Improvement Act of 1978, as amended by Pub. L. No. 95-615, authorizes the Secretary of the Interior to enter into cooperative agreements with colleges and universities, state fish and game agencies, and nonprofit organizations for the purpose of developing adequate, coordinated, cooperative research and training programs for fish and wildlife resources.

**Partnerships Involving Anadromous Fish 16 U.S.C. 757a *et seq.*** The Anadromous Fish Conservation Act authorizes the Secretary to enter into cooperative agreements with states

and other non-federal interests for the conservation, development and enhancement of anadromous fish.

**Agreements Regarding Subsistence Management and Use of Public Lands in Alaska 31 U.S.C. § 3119** The Alaska National Interest Lands Conservation Act authorizes the Secretary to enter into cooperative agreements and otherwise cooperate with other federal agencies, the state, native corporations, and other appropriate persons and organizations to effectuate the purpose and policies of subsistence management and use of public lands in Alaska.

**Grants to States for Endangered and Threatened Species 16 U.S.C. 1531 *et seq.*** Section 6 of the Endangered Species Act authorizes the establishment of cooperative agreements and grants-in-aid to states which establish and maintain active and adequate programs for threatened and endangered species of fish and wildlife and plants. (Specific Citation: 16 U.S.C. § 1535)

**Sailors' Snug Harbor NWR Pub. L. No. 96-315; 94 Stat. 957** Section 2 of this law authorizes the Secretary to enter into cooperative agreements with the City of New York for the management of Sailors' Snug Harbor as a National Wildlife Refuge regarding the respective functions of each party if the 80 acre property is donated by the City of New York.

**Silvio O. Conte National Fish and Wildlife Refuge Pub. L. No. 102-212; 105 Stat. 1657** Section 107(b) of this law authorizes the Secretary to provide technical assistance, community outreach and educational programs for or with, or enter into cooperative agreements with private landowners, state and local governments, agencies, and conservation organizations to further the purposes for which the refuge is established. **Section 109(b)** authorizes the Secretary to enter agreements to share the construction of and land acquisition for the Silvio Conte National Fish and Wildlife Refuge Education Center with state and local governments and other public and private entities.

**Detroit River International Wildlife Refuge Pub. L. No. 107-91; 115 Stat. 894** Section 4 of this law provides that one of the purposes for which the Refuge was established and must be managed is to facilitate partnerships among the U.S. Fish and Wildlife Service, Canadian national and provincial authorities, state and local governments, local communities in the U.S. and in Canada, conservation organizations, and other non-federal entities to promote public awareness of the resources of the Detroit River. Section 6(c) of statute provides that the Secretary is authorized to enter into cooperative agreements with state and private parties for the management of lands owned by the state or private parties within the boundaries of the Refuge.

### **U.S. Geological Survey**

**Cooperative Agreement Authority Pub. L. 106-291, 114 Stat. 932** The Department of the Interior Appropriation Act for FY 2001, provides that activities funded by appropriations made in the bill for the USGS may be accomplished through the use of contracts, grants, or

cooperative agreements. The USGS therefore has general authority to use cooperative agreements and grants in carrying out its mission. This language is repeated in other years. See, for example, Pub. L. No.106-113, 113 Stat.1501A-145-46; and Pub. L. No.103-332, 108 Stat. 2508 (September 30, 1994).

**Outdoor Recreation Authority 16 U.S.C. §460** The Outdoor Recreation Act of June 23, 1963, authorizes the Secretary of the Interior to sponsor, engage in, and assist in research relating to outdoor recreation, directly or by contract or cooperative agreements and make payments for such purposes; undertake studies and assemble information concerning outdoor recreation; and cooperate with educational institutions and others in order to assist in establishing education programs and activities and to encourage public use and benefits from outdoor recreation. (Specific Citation: 16 U.S.C. § 160/-1)

**Fish and Wildlife Resources Cooperative Agreements 16 U.S.C. §753(a)** The Fish and Wildlife Improvement Act of 1978, as amended by Pub. L. No. 95-615, authorizes the Secretary of the Interior to enter into cooperative agreements with colleges and universities, state fish and game agencies, and nonprofit organizations for the purpose of developing adequate, coordinated, cooperative research and training programs for fish and wildlife resources.

**Geothermal Energy Resources Cooperative Program 30 U.S.C. §1028** The Energy Policy Act of 1992 directs the USGS to establish a cooperative Government-private sector program with respect to hot dry rock geothermal energy resources on public lands, to convene a workshop of interested governmental and private parties to discuss the regional potential for hot dry rock geothermal energy in the Eastern U.S. and to submit a report to Congress containing a summary of the findings and conclusions of the workshop. The USGS may enter into contracts and cooperative agreements with any public or private entity.

**Marine Minerals Research Cooperative Agreements and Grants 30 U.S.C. §1901 to §1905** The Marine Minerals Resources Research Act authorizes the Secretary to enter into cooperative agreements and grants to promote research and exploration of marine minerals. (Specific Citation 30 U.S.C. § 1903)

**Methane Hydrate Research and Development Program Pub. L. No. 106-193** The Methane Hydrate Research and Development Act of 2000 authorizes appropriations for the establishment of a methane hydrate research and development program within the Department of Energy (DOE). DOE is directed to carry out this program in consultation with U.S. Navy, USGS, Minerals Management Service, and the National Science Foundation through grants, contracts, and cooperative agreements with universities and industrial enterprises. The purpose is to study the use of methane hydrate as an energy source. This Act sunsets the methane hydrate research and development program at the end of FY 2005.

**Authority to Vest Title in Tangible Personal Property for Research 31 U.S.C. § 6306** This Act authorizes federal agencies to vest title to personal property acquired with funds provided under contracts, grant agreements, and cooperative agreements in a nonprofit institution of

higher education or in a nonprofit organization whose primary purpose is conducting scientific research.

**Funding of Research Agreements 43 U.S.C. § 1471(f)** This title may be used to fund incrementally research work orders for cooperative agreements with colleges and universities, state agencies, and nonprofit organizations that overlap fiscal years provided that such cooperative agreements must contain a statement that “the obligation of funds for future incremental payments must be subject to the availability of funds.”

**Payment of Costs Incidental to Services Contributed by Volunteers 43 U.S.C. §50(c)** Appropriations made after December 22, 1987, must be made available for paying costs incidental to the utilization of services contributed by individuals who serve without compensation as volunteers to aid in the work of USGS. USGS may authorize either direct procurement of or reimbursement of the expenses incidental to the effective use of the volunteers such as, but not limited to, training, transportation, lodging, subsistence, equipment and supplies. However, the provision for services or expenses must be in accord with volunteer or cooperative agreements made with such individuals, private organizations, educational institutions, or state or local government.

### **National Park Service**

**Agreements for the Transfer of Appropriated Funds to Carry Out NPS Programs 16 U.S.C. § 1(g)** The National Park Service may in fiscal year 1997 and thereafter enter into cooperative agreements that involve the transfer of National Park Service appropriated funds to state, local and tribal governments, other public entities, educational institutions, and private nonprofit organizations for the public purpose of carrying out National Park Service programs.

**Cooperative Agreements for National Park and Natural Resources Protection 16 U.S.C. § 1(j)** The Secretary of the Interior may enter cooperative agreements with state, local, or tribal governments, other federal agencies, public entities, educational institutions, private nonprofit organizations or private landowners to protect natural resources within the National Park System.

**Agreements Regarding Subsistence Management and Use of Public Lands in Alaska 16 U.S.C. § 3119** The Alaska National Interest Lands Conservation Act authorizes the Secretary to enter into cooperative agreements and otherwise cooperate with other federal agencies, the state, native corporations, and other appropriate persons and organizations to effectuate the purpose and policies of subsistence management and use of public lands in Alaska.

**Agreements with Federal, State, and Local Entities to Study Parks, Parkways, and Recreation 16 U.S.C. § 17(k)** The Secretary is authorized to enter into cooperative agreements with other federal agencies as well as with state and local governments in order to study parks, parkways, and recreational areas, and to plan for providing adequate park and recreation areas for the people of the U.S..



**Agreements with Educational Institutions to Study National Park System Resources and Non-Park Service Resources 16 U.S.C. § 5933** The Secretary is authorized and directed to enter into cooperative agreements with colleges and universities in partnership with other federal and state agencies, to establish cooperative study units to conduct multi-disciplinary research and develop integrated information products on the resources of the National Park System or the larger region of which parks are a part.

**Adams National Historic Park 16 U.S.C. § 410eee-3(b)** authorizes the Secretary to enter into cooperative agreements with interested entities and individuals to provide for preservation, development, interpretation, and use of the Park.

**Assateague National Seashore 16 U.S.C. § 459f-5(c)** authorizes the Secretary to enter into cooperative agreements to coordinate research to ensure protection of natural and cultural resources of the Seashore and to provide technical assistance to local, state, and federal agencies and educational institutions and non-profit entities to further such purposes.

**Boston African American National Historic Site, Pub. L. No. 96-430, Title I, § 103, Oct. 10, 1980, 94 Stat. 1845** authorizes the Secretary to enter into cooperative agreements with the City of Boston, Commonwealth of Massachusetts, or any political subdivisions, or any private person or organization, to mark, interpret, restore, provide technical assistance, and other activities necessary for preservation of the identified sites.

**Boston Harbor Island National Recreation Area 16 U.S.C. §§ 460kkk(a)(2), (d)(3)** - explicitly provide that it is to be managed in partnership with the private sector, Commonwealth of Massachusetts, surrounding municipalities, and other organizations. **16 U.S.C. §§ 460kkk(d)(3)** authorizes the Secretary to enter into cooperative agreements with the Commonwealth of Massachusetts or its political subdivisions to acquire from and provide to the Commonwealth or its political subdivisions goods and services to be used in the cooperative management of the area.

**Boston National Historic Park 16 U.S.C. 410z-1(b)** authorizes the Secretary to enter into cooperative agreements with the City of Boston, Commonwealth of Massachusetts, or any private organization to mark, interpret, restore or provide technical assistance for the preservation and interpretation of properties listed in § 410z.

**Cedar Creek and Belle Grove National Historical Park 16 U.S.C. § 410iii-10** authorizes the Secretary to enter into cooperative agreements with interested public and private entities and individuals through technical and financial assistance to encourage conservation of historic and natural resources in the Park.

**Eleanor Roosevelt National Historic Site, Pub. L. No. 95-32, § 2(b), May 26, 1977, 91 Stat. 171** authorizes the Secretary to carry out the acquisition, renovation, administration, and management of the Site under cooperative agreements with qualified public or private entities.

**Gauley River National Recreation Area 16 U.S.C. § 460ww-1(c)** authorizes the Secretary to enter into cooperative agreements with the state of West Virginia and any political subdivision thereof, for rendering, on a reimbursable, of rescue, fire fighting, and law enforcement services by nearby law enforcement and fire preventive agencies. **16 U.S.C. § 460ww-1(e)** authorizes the Secretary to enter into a cooperative agreement with the state of West Virginia under which the Secretary must be authorized to maintain and improve existing public roads and rights-of-way within the boundaries to facilitate and improve access to the area.

**Independence National Historic Park 16 U.S.C. § 407n** authorizes the Secretary to enter into cooperative agreements with the City of Philadelphia to assist in the preservation and interpretation of the Park and with the Carpenters Company of Philadelphia assist in the preservation and interpretation of Carpenters Hall. **16 U.S.C. § 407o** authorizes the Secretary to accept donations of property of national historic significance within the City of Philadelphia which the Secretary deems proper for administration as part of INDE and to permit the American Philosophical Society to construct, operate and maintain in the park a building to house the library of the Society. **16 U.S.C. § 407cc** authorizes the Secretary to make grants and enter into cooperative agreements, contracts or leases with the National Constitution Center to carry out the purposes of the Center. **16 U.S.C. § 407dd(d)** authorizes the Secretary in coordination with the NCC to enter into cooperative agreements with historic sites closely associated with the Constitution to provide technical assistance in the preservation and interpretation of such sites.

**Lower East Side Tenement National Historic Site, Pub. L. No. 105-378, Title I, Nov. 12, 1998, 112 Stat. 3396** authorizes the Secretary to enter in a cooperative agreement to mark, preserve and interpret the site. See also: 16 U.S.C. § 461 Notes

**Maine Acadian Culture Preservation Commission, Pub. L. No. 101-543, Nov. 8, 1990, 104 Stat. 2389** authorizes cooperative agreements to support the Acadian Culture Center.

**Marsh-Billings-Rockefeller National Historic Park 16 U.S.C. § 410vv-4** authorizes the Secretary to enter into cooperative agreements for the preservation, interpretation, management, and providing educational and recreational uses of properties in the Park and scenic zone.

**Minuteman National Historic Park 16 U.S.C. § 410u** authorizes the Secretary to enter into cooperative agreements with the Commonwealth of Massachusetts, political subdivisions thereof, corporations, associations, or individuals to provide for the preservation and interpretation of historic sites, structures and properties lying along the entire route where significant events occurred on April 18 -19, 1775 and to erect and maintain markers.

**National Trails Act 16 U.S.C. § 1246(h)(1)** authorizes the Secretary to enter into cooperative agreements with the states, their political subdivisions, landowners, private organizations, and individuals to operate, develop, and maintain any portion of a national trail within or outside of

a federally administered area. Such agreements may provide for limited financial assistance to encourage participation and provisions for providing volunteer in the parks status.

**New Bedford Whaling National Historic Park 16 U.S.C. § 410ddd(e)(2)** authorizes the Secretary to enter into cooperative agreements with interested entities and individuals to provide for preservation, development, interpretation, and use of the Park.

**New River Gorge National River 16 U.S.C. § 460m-16(b)** authorizes the Secretary to enter into cooperative agreements with organizations and individuals to mark or interpret historically significant properties on non-federally owned land. **16 U.S.C. § 460m-18** authorizes the Secretary to assist and consult with local government in establishing zoning ordinances that will assist in achieving the purposes of the Act. **16 U.S.C. § 460m-26** authorizes the Secretary to enter into cooperative agreements with the state of West Virginia or any political subdivision thereof, for rendering, on a reimbursable or non-reimbursable basis, of rescue, fire fighting, and law enforcement services by nearby law enforcement and fire preventive agencies.

**Richmond National Battlefield Park 16 U.S.C. § 423k** authorizes the Secretary to accept donation of interests in land, buildings, structures or other property within the boundaries of the Park and funds for the purchase and/or maintenance thereof. **16 U.S.C. §§ 423l-5(c), (d)** authorize cooperative agreements with the Commonwealth of Virginia, its political subdivisions, private property owners and other members of the private sector to protect and interpret the historic resources within the Park that would allow for continued private ownership and use, and technical assistance for development of plans, land use guidelines, studies and other activities for identification, protection, interpretation, and commemoration of historically significant Civil War resources.

**Schuylkill River Valley National Heritage Area, Pub. L. No. 106-278, Title II, §§ 204(d), 207(a), Oct. 6, 2000, 114 Stat. 820 - 823** requires the Secretary to enter into a cooperative agreement with the management entity to provide technical and financial assistance to develop and implement the management plan.

**Shenandoah Valley Battlefield National Historic District, Pub. L. No. 104-333, Div. I, Title VI, Nov. 12, 1996, § 606(g), 110 Stat. 4177** authorizes the Secretary to award grants, provide technical assistance and enter cooperative agreements with the Commission, management entity other units of government, or other persons to provide for the preservation and interpretation of the natural, cultural and historic resources of the District.

**Southwestern Pennsylvania Industrial Heritage Route, Pub. L. No. 100-698, Title II, § 202, Nov. 19, 1988, 102 Stat. 4623** authorizes the Secretary to enter cooperative agreements with respect to site administered by other federal, state, local, tribal or nonprofit entities to provide technical assistance in development of interpretive devices.

**St. Croix Island International Historic Site, Pub. L. No.106-529, § 4(b), 16 U.S.C. § 450hh, nt.** authorizes the Secretary to enter into cooperative agreements to provide exhibits, interpretive

services, technical assistance, disseminate information, provide financial assistance for construction of a regional heritage center and assist in operation and maintenance.

**Theodore Roosevelt Inaugural National Historic Site, Pub. L. No. 96-607, Title VIII, December 28, 1980, § 801(b)** directs the Secretary to enter into cooperative agreements with the Theodore Roosevelt Inaugural Site Foundation or other qualified entities for the operation, maintenance, management, development, and interpretation of the Site.

**Thomas Cole National Historic Site, Pub. L. No. 106-146 § 6(b), Dec. 9, 1999, 113**

**Stat. 1715** authorizes the Secretary to enter into cooperative agreements with the: 1) Greene County Historical Society to preserve the site and to assist with educational programs, and research and interpretation, and 2) the state of New York, the Society, the Thomas Cole Foundation, and 3) other public and private entities to facilitate public understanding and enjoyment of the lives and works of Hudson River artists.

**Wild and Scenic Rivers Act 16 U.S.C. § 1281(e)** authorizes the NPS to enter into cooperative agreements with the governor of a state, the heads of any state agency, or political subdivision of a state for participation in the administration of the component. **Pub. L. No. 95-625, Title VII, §§ 704(c)(4), (e)(3), and (g)** authorize provision of technical assistance to the states of New York and Pennsylvania and their political subdivisions to develop and implement programs for the Upper Delaware River, to provide professional services to review local plans, laws, and ordinances, and monitor the enforcement thereof by local governments, and financial assistance for enforcing state and local laws, and removing solid waste. **Pub. L. No. 106-20, §2(c), Apr. 9, 1999, 113 Stat. 31** - authorizes the Director of the NPS to enter cooperative agreements with the Commonwealth of Massachusetts, its relevant political subdivisions, the Sudbury Valley Trustees and Organization for the Assabet River for financial and other assistance to facilitate the protection, conservation and enhancement the authorized river segments. **Pub. L. No. 103-313, § 4(b), Aug. 26, 1994, 108 Stat. 1701** - directs the Secretary to enter into cooperative agreements with the state of Connecticut and its relevant political subdivisions to provide financial and other assistance to facilitate the protection, conservation and enhancement the authorized Farmington River segment.

**Women's Rights National Historic Park 16 U.S.C. § 410ll(e)** authorizes the Secretary to enter into cooperative agreements with owners of properties designated as part of the Park to mark, interpret, improve, restore and provide technical and financial assistance for preservation and interpretation of such properties.

**Chattahoochee River NRA 16 U.S.C. § 460ii-2(b)** authorizes the Secretary to enter into cooperative agreements with the state of Georgia, political subdivisions of the state, and other entities to ensure standardized acquisition, planning, design, construction, and operation of the recreation area.

**Little River Canyon National Preserve Pub. L. No.102-427** authorizes the Secretary to enter into cooperative agreements with the state of Alabama to render rescue, fire fighting and law

enforcement services and to provide professional assistance in the preparation of the management plan for the Preserve.

**Natchez National Historic Park 16 U.S.C. - § 410oo-2(b)(1)** authorizes the Secretary to enter into an agreement with the City of Natchez under which the Secretary agrees to pay not to exceed \$3,000,000 toward the planning and construction of a structure to be used as administrative headquarters, administrative site, and visitor center for the park. **16 U.S.C. - §410oo-2(b)(3)** authorizes the Secretary to enter into a contract, lease, cooperative agreement or other form of agreement with the City of Natchez providing for the use and occupancy of a portion of the structure constructed under 16 U.S.C. §410oo(b)(1).

**New Orleans Jazz National Historic Park 16 U.S.C. § 410bbb-2(b)** authorizes the Secretary to accept and retain donations of funds, property, or services from individuals, foundations, corporations, or other public entities for the purpose of providing services, programs, and facilities that further the purposes of the subchapter. **16 U.S.C. § 410bbb-2(e)(1)** authorizes the Secretary to enter into cooperative agreements with owners of properties that are designated pursuant to section 410bbb-1(b)(3) and which provide outstanding educational and interpretive opportunities relating to the evolution of jazz in New Orleans. **16 U.S.C. §410bbb-2(e)(2)** authorizes the Secretary to enter into cooperative agreements with the city of New Orleans, the state of Louisiana, and other appropriate public and private organizations under which the other parties to the agreement may contribute to the acquisition, construction, operation, and maintenance of the interpretive center and to the operation of the educational and interpretive programs to further the purpose of the chapter. **16 U.S.C. §410bbb-2(f)** directs the Secretary to cooperate with schools, universities, and organizations supporting jazz education to develop educational programs that provide expanded understanding of jazz and enhanced opportunities for public appreciation.

**Poverty Point National Monument Pub. L. No.100-560** authorizes the Secretary to enter into cooperative agreements with institutions of higher education and professional societies to conduct further research on Poverty Point.

**Salt River Bay National Historic Park & Ecological Preserve 16 U.S.C. § 410tt-3** authorizes the Secretary to enter into cooperative agreements with the Virgin Islands or any political subdivision thereof, for the management of the park and for other purposes.

**Shiloh National Military Park 16 U.S.C. § 430f** authorizes the Secretary to enter into agreements with former landowners or tenants of acquired land that desire to remain on the said land, whereby the department will lease the land to such persons to occupy and cultivate their then holdings upon condition that they will preserve existing buildings, roads, and outlines of field and forest, and that they will assist in the caring for and protecting all vegetation, tablets, monuments, or such other artificial works as may from time to time be erected by proper authority. **16 U.S.C. § 430f-10** authorizes the Secretary, in order to commemorate and interpret, for the benefit of visitors and the general public, the Siege and Battle of Corinth and other Civil War actions in the area, to enter into cooperative agreements with entities in the

public and private sectors, including: colleges and universities, historical societies, state and local agencies, and nonprofit organizations.

**Chaco Culture National Historical Park 16 U.S.C. § 410ii-4** authorizes the Secretary to enter into cooperative agreements with the owners of properties within the park or the associated archeological protection sites to protect, preserve, maintain, and administer the properties' archeological resources.

**Chaco Culture Archeological Protection Sites 16 U.S.C. § 410ii-5(f)** directs the Secretary to assist the Navajo Nation in the protection and management of Chaco Culture Archeological Protection Sites located on land under the jurisdiction of the Navajo Nation through a grant, contract, or cooperative agreement.

**Grand Canyon National Park 16 U.S.C. section 228e** authorizes and encourages the Secretary to enter into cooperative agreements with other federal, state, and local public departments and agencies and with interested Indian tribes providing for the protection and interpretation of the Grand Canyon in its entirety.

**Oklahoma City National Memorial Trust Subsection 6(a) of the Oklahoma City National Memorial Act of 1997, Pub. L. No.105-58, 111 Stat. 1261, 1265** directs the Secretary to enter into a cooperative agreement with the Oklahoma City National Memorial Trust to provide technical assistance for the planning, preservation, maintenance, management, and interpretation of the memorial.

**Petroglyph National Monument § 105(c) of the Petroglyph National Monument Establishment Act of 1990, Pub. L. No.101-313, 104 Stat. 272, 275** authorizes the Secretary to enter into cooperative agreements with the state of New Mexico or the City of Albuquerque under which the Secretary may manage and interpret any lands owned by the state or the city within the national monument. **Subsection 105(d)** authorizes the Secretary to enter into cooperative agreements with other federal, state, and local public departments and agencies, Indian tribes, and nonprofit entities providing for the interpretation of the resources of Petroglyph National Monument.

**San Antonio Missions National Historical Park 16 U.S.C. § 410ee(b)(2)** authorizes the Secretary to enter into cooperative agreements with the owners of any historic properties within the Park in furtherance of the purposes for which the park was established.

**16 U.S.C. § 410uu-2 Hopewell Culture National Historical Park** authorizes the Secretary to enter into cooperative agreements with the Ohio Historical Society, the Archeological Conservancy and other public and private entities for consultation and assistance in the interpretation and management of the Park.

**16 U.S.C. § 410ww-1(b) Dayton Aviation Heritage National Park** authorizes the Secretary to enter into cooperative agreements with other federal agencies, state and local public bodies

and private interests and organizations for the preservation development, use, and interpretation of the Park.

**16 U.S.C. § 410yy-6 Keweenaw National Historical Park:** authorizes the Secretary to enter into cooperative agreements with the owners of property with the Park to provide interpretation, public access, and minor improvements to properties with nationally significant historic or cultural resources. May enter into a cooperative agreement concerning the construction of a roadway south of U.S. Route 12 to prevent erosion and visual impacts of construction and traffic from the Little Calumet River.

**16 U.S.C. § 460u-17(b) Indiana Dunes National Lakeshore:** authorizes the Secretary to enter into a cooperative agreement with the state of Indiana or any political subdivision to develop, manage and interpret are I-E on Map numbered 626-91007.

**16 U.S.C. § 460u-24(a) Indiana Dunes National Lakeshore:** authorizes the Secretary to enter into a cooperative agreement with the state of Indiana or any of its political subdivisions and the Little Calumet River Basin Development Commission for the planning management and interpretation of recreation facilities on specified land with the Lakeshore along the Little Calumet and Burns Waterway.

**16 U.S.C. § 460u-25 Indiana Dunes National Lakeshore:** authorizes the Secretary to enter into a cooperative agreement with the City of Gary, Indiana to provide technical assistance to the City concerning Marquette Park and Lake Street Beach.

**16 U.S.C. § 460ff-3(b) Cuyahoga Valley National Park:** authorizes the Secretary to enter into cooperative agreements with the state of Ohio or any political subdivision for rendering on a reimbursable basis rescue, firefighting and law enforcement serves by nearby law enforcement and fire preventive agencies.

**16 U.S.C. § 461 note: The Ohio & Erie Canal National Heritage Corridor Act of 1996, 110 Stat. 4267, 4274 [Pub. L. No. 104-333, Division II, Title VIII, § 809(c)]** authorizes the Superintendent, Cuyahoga Valley National Park to provided operational assistance to public and private organization within the corridor and to enter into cooperative agreements for implementing this assistance.

**Redwood National Park 16 U.S.C. 79c(e)** authorizes the Secretary to enter into contracts and cooperative agreements with the owners of land on the periphery of the park and on watersheds tributary to streams within the park designed to assure that the consequences of forestry management, timbering, land use, and soil conservation practices conducted thereon, or of the lack of such practices, will not adversely affect the timber, soil, and streams within the park.

**Golden Gate National Recreation Area - Pub. L. No.108-7, Division F, Title II, Section 114 ( February 20, 2003), 117 Stat. 239, 16 U.S.C. 460bb-3, nt.** authorizes the Secretary to enter into

agreements and leases for property within Fort Baker, to retain the proceeds of such agreements or leases or any statutorily authorized fees, and to expend such proceeds for the preservation, restoration, operation, maintenance, interpretation, public programs and related expenses of the National Park Service and nonprofit park partners incurred with respect to the Fort Baker properties. **Pub. L. No.106-291, Title I, Section 140, 114 Stat. 949** - authorizes the National Park Service to authorize, through cooperative agreement, the Golden Gate National Parks Association to provide fee-based education, interpretive and visitor service functions within the Crissy Field and Fort Point areas of the Presidio.

**Kalaupapa National Historical Park 16 U.S.C. 410jj-4(b)(2)** authorizes the Secretary to enter into cooperative agreements with the owners of property within the park pursuant to which the NPS may preserve, protect, maintain, construct, reconstruct, develop, improve, and interpret sites, facilities, and resources of historic, natural, architectural, and cultural significance.

**Great Basin National Park 16 U.S.C. 410mm-1(i)** authorizes the Secretary to enter into cooperative agreements with federal, state and local public departments and agencies providing for the interpretation of the Great Basin physiographic region.

**Santa Monica Mountains National Recreation Area 16 U.S.C. 460kk-(j)** authorizes the Secretary to enter into cooperative agreements with the state of California and its political subdivisions for the rendering, on a reimbursable basis, of rescue, firefighting, and law enforcement services and cooperative assistance by nearby law enforcement and fire prevention agencies.

**Cooperative Agreements with Property Owners of Non-federal Sites Authorized 16 U.S.C. § 281c(b)** The Secretary of the Interior may enter into cooperative agreements with the owners of property which, under the provisions of the Act may be designated for inclusion in Nez Perce National Historical Park as sites in non-federal ownership, and he may assist in the preservation, renewal, and interpretation of the properties, provided the cooperative agreements must contain, but not be limited to, provisions that: (1) the Secretary has right of access at all reasonable times to all public portions of the property for the purpose of conducting visitors through the property and interpreting it to the public, and (2) no changes or alterations must be made in the properties, including buildings and grounds, without the written consent of the Secretary.

**Authority Enter Into Agreements to Protect, Preserve, Maintain, or Operate Any Site, Object, or Property Included Within the Park 16 U.S.C. § 281e(a)** In order to carry out the purpose of the Act the Secretary of the Interior may contract and make cooperative agreements with the states of Idaho, Oregon, Washington, Montana, Wyoming, their political subdivisions or agencies, corporations, associations, the Nez Perce Tribe, or individuals, to protect, preserve, maintain, or operate any site, object, or property included within the Nez Perce National Historical Park, regardless of whether title thereto is in the U.S.: Provided, that no contract or



cooperative agreement must be made or entered into which will obligate the general fund of the Treasury unless or until Congress has appropriated money for such purpose.

**Cooperative Agreements for Preservation of Historic Sites and Structures 16 U.S.C. § 282(b)**

The Secretary of the Interior may enter into cooperative agreements with the state of Washington, political subdivisions thereof, corporations, associations, or individuals, for the preservation of nationally significant historic sites and structures and for the interpretation of significant events which occurred on San Juan Island, in Puget Sound, and on the nearby mainland.

## Department of Agriculture

**Critical Agricultural Materials Act 7 U.S.C. § 178c(d)(1)** authorizes the Secretary of Agriculture to enter into a contract or cooperative agreement with, or provide a grant to, any person, or public or private agency or organization, to participate in, carry out, support, or stimulate a demonstration project to promote the development or commercialization of native crops that would supply critical agricultural materials for strategic and industrial purposes.

**Smith-Lever Act 7 U.S.C. § 343(g)** authorizes the Secretary of Agriculture to enter into cooperative agreements with private nonprofit and profit organizations and individuals to share the cost of educational, instructional, demonstration, and publication distribution programs through contributions from private sources.

**National Rural Development Partnership 7 USCS § 2008(m)** federal agencies are authorized to enter into cooperative agreements with, and to provide grants and other assistance to, the Coordinating Committee and state rural development councils.

**Federal Agricultural Improvement and Reform Act 7 U.S.C. §2279c(b)** authorizes the Secretary of Agriculture to enter into cooperative agreements on an annual basis with one or more associations of institutions of higher education for the purpose of providing for Department participation in internship programs for graduate and undergraduate students who are selected by the associations. A cooperative agreement must specify the number of students that the Department will host each year and a list of work assignments to be provided for the students.

**National Agricultural Research, Extension, and Teaching Policy Act 7 U.S.C. § 3318(b)(1)** authorizes the Secretary of Agriculture to enter into contracts, grants, and cooperative agreements to further the research, extension, or teaching programs in the food and agricultural sciences of the Department of Agriculture. The Secretary may use a cooperative agreement as the legal instrument reflecting a relationship between the Secretary and a state cooperative institution, state department of agriculture, college, university, other research or educational institution or organization, individual, or any other party, if the Secretary determines that-- the objectives of the agreement will serve a mutual interest of the parties to the agreement in agricultural research, extension, and teaching activities, including statistical reporting; and all parties will contribute resources to the accomplishment of those objectives.

**Swine Health Protection Act 7 U.S.C. § 3808** In order to avoid duplication of functions, facilities, and personnel, and to attain closer coordination and greater effectiveness and economy in administration of this Act, the Act authorizes the Secretary of Agriculture to enter into cooperative agreements with state departments of agriculture and other state agencies charged with the administration and enforcement of such state laws and regulations and to provide that any such state agency which has adequate facilities, personnel, and procedures, as

determined by the Secretary, may assist the Secretary in the administration and enforcement of this Act.

**Food, Agriculture, Conservation, and Trade Act 7 U.S.C. § 5925(g)(2)** authorizes the Secretary of Agriculture to enter into cooperative agreements with regional and multijurisdictional entities, local government planning organizations, and local governments for the purposes of conducting projects for the control, management, and possible eradication of Formosan termites in the U.S.; and collecting data on the effectiveness of the projects.

**Agricultural Risk Protection Act 7 U.S.C. § 6711(d)** authorizes the Secretary of Agriculture to carry out research to promote understanding of the flux of carbon in soils and plants (including trees), and the exchange of other greenhouse gases from agriculture, through the competitive awarding of grants and cooperative agreements to colleges and universities.

**Agricultural Research, Extension, and Education Reform Act 7 U.S.C. § 7642(a)** requires the Secretary of Agriculture to continue operation of the Food Animal Residue Avoidance Database program (“FARAD program”) through contracts, grants, or cooperative agreements with appropriate colleges or universities.

**Agricultural Research, Extension, and Education Reform Act 7 U.S.C. § 7656(d)** requires the Secretary of Agriculture to seek to enter into cooperative agreements with other federal departments and agencies that have programs or activities related to the Department of Agriculture’s Crisis Management Team to help ensure consistent, accurate, and coordinated dissemination of information throughout the executive branch in the event of a crisis.

**Plant Protection Act 7 U.S.C. § 7721(b)(1)** requires the Secretary of Agriculture to enter into a cooperative agreement with each state department of agriculture that agrees to conduct early plant pest detection and surveillance activities.

**Animal Health Protection Act 7 U.S.C. 8322(a)** authorizes the Secretary of Agriculture to enter into a cooperative agreement with an eligible entity to carry out a project under a national aquatic animal health plan under the authority of the Secretary under section 10411 of this Act (7 U.S.C. 8310) for the purpose of detecting, controlling, or eradicating diseases of aquaculture species and promoting species-specific best management practices.

**State Forest Aid Act 16 U.S.C. § 567(a)** For the purpose of stimulating the acquisition, development, and proper administration and management of state forests and of insuring coordinated effort by federal and state agencies in carrying out a comprehensive national program of forest-land management, the Act authorizes the Secretary of Agriculture to enter into cooperative agreements with appropriate officials of any state or states for acquiring in the name of the U.S., by purchase or otherwise, such forest lands within the cooperating state as in his judgment the state is adequately prepared to administer, develop, and manage as state forests in accordance with the provisions of this Act and with such other terms not inconsistent therewith as he must prescribe, such acquisition to include the mapping, examination,

appraisal, and surveying of such lands and the doing of all things necessary to perfect title thereto in the U.S..

**16 U.S.C. §§ 583 et seq.** authorizes the Secretary of Agriculture, with respect to forest land under his jurisdiction, and the Secretary of the Interior, with respect to forest land under his jurisdiction, for the purposes specified in section 1 of this Act (16 U.S.C. § 583a), to enter into cooperative agreements with private owners of forest land within a cooperative sustained-yield unit, established pursuant to section 1 of this Act, providing for the coordinated management of such private forest land and of federally owned or administered forest lands within the sustained-yield unit involved.

**16 USCS § 670(h)** state agencies are authorized to enter into a cooperative agreement with the Secretary of Agriculture to develop comprehensive plans for conservation and rehabilitation programs for public land under the jurisdiction of the Secretary of Agriculture (and with the Secretary of the Interior for land under that Department's jurisdiction).

**Forest and Rangeland Renewable Resources Planning Act 16 U.S.C. § 1650(b)** authorizes the Secretary of Agriculture to enter into grants, contracts, and cooperative agreements with public and private agencies, organizations, corporations, institutions and individuals, in carrying out his authority to conduct technology transfer and development, training, dissemination of information and applied research in the management, processing and utilization of the hardwood forest resource.

**Healthy Forests Restoration Act 16 U.S.C. § 6575(b)** authorizes the Secretary of Agriculture to request the services of, and enter into cooperative agreements with, individuals or entities certified as technical service providers under section 1242 of the Food Security Act of 1985 (16 U.S.C. § 3842), to assist the Secretary in providing technical assistance necessary to develop and implement the healthy forests reserve program.

**Homeland Security Act 6 U.S.C. § 195c(f)** authorizes the Under Secretary of Homeland Security, in coordination with the Chief Medical Officer, the Department of state, and appropriate officials of the Department of Agriculture, the Department of Defense, and the Department of Health and Human Services, to enter into cooperative activities with foreign countries, including African nations, to strengthen American preparedness against foreign animal and zoonotic diseases overseas that could harm the Nation's agricultural and public health sectors if they were to reach the U.S. **6 U.S.C. § 488c(a)(1)** Authorizes the Secretary of Homeland Security to enter into a cooperative agreement with the Secretary of Agriculture, or the head of any state department of agriculture, to carry out the provisions of 6 U.S.C. § 488 - the secure handling of ammonium nitrate.

**16 U.S.C. § 590z-4** authorizes the Secretary of the Interior, by cooperative agreements, to arrange with the Department of Agriculture or with such other federal or state agencies, as the President may deem desirable, for cooperation in the investigations and surveys of water

conservation and utilization projects proposed under the authority of this Act (16 U.S.C. § 590y et seq.).

### **U.S. Forest Service**

**16 U.S.C. § 565(a)(1)** To facilitate the administration of the programs and activities of the Forest Service, the Secretary of Agriculture is authorized to negotiate and enter into cooperative agreements with public or private agencies, organizations, institutions, or persons to construct, operate, and maintain cooperative pollution abatement equipment and facilities, including sanitary landfills, water systems, and sewer systems; to engage in cooperative manpower and job training and development programs; to develop and publish cooperative environmental education and forest history materials; and to perform forestry protection, including fire protection, timber stand improvement, debris removal, and thinning of trees. The Secretary may enter into such agreements when he determines that the public interest will be benefitted and that there exists a mutual interest other than monetary considerations.

**16 U.S.C. § 1011a(a)** authorizes the Secretary of Agriculture, to the extent funds are otherwise available, to use appropriations for the Forest Service, for the purpose of entering into cooperative agreements with willing federal, tribal, state and local governments, private and nonprofit entities and landowners for the protection, restoration and enhancement of fish and wildlife habitat, and other resources on public and private land, the reduction of risk from natural disaster where public safety is threatened, or a combination thereof or both that benefit these resources within the watershed.

**Consolidated Appropriations Act 16 U.S.C. § 2104(g)** authorizes the Secretary of Agriculture, by contract or cooperative agreement, to provide financial assistance through the Forest Service to state foresters or equivalent state officials, and private forestry and other organizations, to monitor forest health and protect the forest lands of the U.S.

**Hawaii Tropical Forest Recovery Act 16 U.S.C. § 4502a** authorizes the Secretary of Agriculture to provide assistance through the Forest Service to eligible entities in states with tropical forests to promote sound management and conservation of tropical forests of the U.S. and to promote the development and transfer of technical, managerial, educational, and administrative skills to managers of tropical forests within or outside the U.S.. Assistance may be in the form of grants, contracts, or cooperative agreements.

**Agricultural Research, Extension, and Education Reform Act 7 U.S.C. § 7624(c)** authorizes the Secretary of Agriculture to enter into cooperative agreements with private entities described in subsection (d), under which the facilities and technical expertise of the Agricultural Research Service and the Forest Service may be made available to operate pilot plants and other large-scale preparation facilities for the purpose of bringing technologies necessary for the development and commercialization of new biobased products to the point of practical application. Cooperative activities may include-- research on potential environmental impacts

of a biobased product; methods to reduce the cost of manufacturing a biobased product; and other appropriate research.

**Department of Agriculture Organic Act 16 U.S.C. § 580** authorizes the Forest Service to rent equipment for fire-control purposes to state, county, private, or other non-federal agencies cooperating with the Forest Service in fire control under the terms of written cooperative agreements, the amount collected for such rental to be credited to appropriations currently available at the time payment is received.

**Department of Agriculture Organic Act 16 U.S.C. § 580a** authorizes the Forest Service to sell and distribute supplies, equipment, and materials to other Government activities and to state and private agencies who cooperate with the Forest Service in fire control under terms of written cooperative agreements, the cost of such supplies, equipment, and materials, including the cost of supervision, transportation, warehousing, and handling, to be reimbursed to appropriations current at the time additional supplies, equipment, and materials are procured for warehouse stocks.

#### **Animal and Plant Health Inspection Service**

**Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act 7 U.S.C. § 426d** authorizes the Secretary of Agriculture to use appropriations available to the Secretary for activities authorized under sections 426-426c of title 7, U.S. Code, under this or any other Act, to enter into cooperative agreements, with a state, political subdivision, or agency thereof, a public or private agency, organization, or any other person, to lease aircraft if the Secretary determines that the objectives of the agreement will: (1) serve a mutual interest of the parties to the agreement in carrying out the programs administered by the Animal and Plant Health Inspection Service, Wildlife Services; and (2) all parties will contribute resources to the accomplishment of these objectives; award of a cooperative agreement authorized by the Secretary may be made for an initial term not to exceed 5 years.

**Public Health Security and Bioterrorism Preparedness and Response Act 7 U.S.C. § 8320(a)(4)(A)** authorizes the Secretary of Agriculture to utilize existing authorities to give high priority to enhancing and expanding the capacity of the Animal and Plant Health Inspection Service to conduct activities to develop new and improve existing strategies and technologies for dealing with intentional outbreaks of plant and animal disease arising from acts of terrorism or from unintentional introduction, including establishing cooperative agreements among Veterinary Services of the Animal and Plant Health Inspection Service, state animal health commissions and regulatory agencies for livestock and poultry health, and private veterinary practitioners to enhance the preparedness and ability of Veterinary Services and the commissions and agencies to respond to outbreaks of such animal diseases.

**Consolidated Appropriations Resolution 7 U.S.C. § 2279g** authorizes marketing services of the Agricultural Marketing Service; the Grain Inspection, Packers and Stockyards Administration;

the Animal and Plant Health Inspection Service; and the food safety activities of the Food Safety and Inspection Service to enter into cooperative agreements with one another, a state, or a cooperator to carry out agricultural marketing programs, to carry out programs to protect the nation's animal and plant resources, or to carry out educational programs or special studies to improve the safety of the nation's food supply.

### **National Institute of Food and Agriculture**

**Food Conservation and Energy Act 7 U.S.C. § 5930(a)** requires the Secretary of Agriculture, acting through the National Institute of Food and Agriculture, to establish appropriate extension education programs on Indian reservations and tribal jurisdictions. In establishing these extension programs, the Secretary must consult with the Bureau of Indian Affairs, the Intertribal Agriculture Council, and the Southwest Indian Agriculture Association, and must make such interagency cooperative agreements or memoranda of understanding as may be necessary.

### **Natural Resources Conservation Service**

**Food Conservation and Energy Act 7 U.S.C. § 2279(g)** requires the Secretary of Agriculture to require the Farm Service Agency and Natural Resources Conservation Service to establish a consolidated suboffice at the tribal headquarters of each county that has a reservation within its borders for at least one day a week for the Department of Agriculture's outreach and assistance program for socially disadvantaged farmers and ranchers. For those reservations that are located in more than one county, the Secretary, the relevant county offices and the tribe must enter into a cooperative agreement to provide the services of the suboffice that avoids duplication of effort.

**Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act 7 U.S.C. § 6962a** authorizes the Secretary of Agriculture to enter into cooperative agreements (which may provide for the acquisition of goods or services, including personal services) with a state, political subdivision, or agency thereof, a public or private agency, organization, or any other person, if the Secretary determines that the objectives of the agreement will: (1) serve a mutual interest of the parties to the agreement in carrying out the programs administered by the Natural Resources Conservation Service; and (2) all parties will contribute resources to the accomplishment of these objectives.

### **Risk Management Agency**

**The Agricultural Risk Protection Act of 2000** authorizes the Secretary to enter into cooperative agreements to carry out the Act. The RMA annually announces availability of funds for partnership and cooperative agreements via the *federal Register* and its Web site. Partners conduct risk management and crop insurance education, community outreach and assistance, and research and development activities.

## **Rural Development Agency**

**7 USCS § 2204b** The Rural Development Agency administers the Rural Business and Cooperative Service, Rural Housing Service, Rural Utilities Service, and the Office of Community Development. Under the Rural Development Act, the Secretary of Agriculture must provide leadership within the executive branch for, and must assume responsibility for coordinating, a nationwide rural development program using the services of executive branch departments and agencies, including, but not limited to, the agencies, bureaus, offices, and services of the Department of Agriculture, in coordination with rural development programs of state and local governments. The Secretary may enter into cooperative agreements with other federal agencies, state and local governments, and any other organization or individual to improve the coordination and effectiveness of federal programs, services, and actions affecting rural areas, including the establishment and financing of interagency groups, if the Secretary determines that the objectives of the agreement will serve the mutual interest of the parties in rural development activities. Each cooperator, including each federal agency, to the extent that funds are otherwise available, may participate in any cooperative agreement or working group established pursuant to this paragraph by contributing funds or other resources to the Secretary to carry out the agreement or functions of the group.



## U.S. Department of Defense

**10 USCS § 2358** authorizes the Secretary of Defense or the Secretary of a military department to engage in basic research, applied research, advanced research, and development projects that--are necessary to the responsibilities of such Secretary's department in the field of research and development; and either-relate to weapon systems and other military needs; or are of potential interest to the Department of Defense. They may perform these projects through the use of a contract, cooperative agreement, or grant. (See also 10 USCS § 2371 for authority to enter into research projects other than through contracts, cooperative agreements, grants.)

**Military Base Reuse Studies and Community Planning Assistance 10 USCS § 2391** authorizes the Secretary of Defense to make grants, conclude cooperative agreements, and supplement funds available under federal programs administered by agencies other than the Department of Defense in order to assist state and local governments in planning community adjustments and economic diversification required (A) by the proposed or actual establishment, realignment, or closure of a military installation, (B) by the cancellation or termination of a Department of Defense contract or the failure to proceed with an approved major weapon system program, (C) by a publicly announced planned major reduction in Department of Defense spending that would directly and adversely affect a community, (D) by the encroachment of a civilian community on a military installation, or (E) by the closure or the significantly reduced operations of a defense facility as the result of the merger, acquisition, or consolidation of the defense contractor operating the defense facility, if the Secretary determines that an action described in clause (A), (B), (C), or (E) is likely to have a direct and significantly adverse consequence on the affected community or, in the case of an action described in clause (D), if the Secretary determines that the encroachment of the civilian community is likely to impair the continued operational utility of the military installation.

**Procurement Technical Assistance Cooperative Agreement Program 10 USCS § 2411, et seq.** authorizes the Secretary to enter into cooperative agreements with eligible entities to carry out service, supply, and procurement services. The Secretary of Defense or the Secretary of a military department may enter into a cooperative agreement with a state or local government or other entity for the preservation, management, maintenance, and improvement of cultural resources located on a site authorized by subsection (b) and for the conduct of research regarding the cultural resources. Activities under the cooperative agreement must be subject to the availability of funds to carry out the cooperative agreement. 10 USCS § 2684

**Conservation and Cultural Activities 10 USCS § 2694** authorizes the Secretary of Defense to establish and carry out a program to conduct and manage in a coordinated manner the conservation and cultural activities including conservation or cultural activities eligible for the program that meet certain requirements. Activities include the following: The development of ecosystem-wide land management plans; The conduct of wildlife studies to ensure the safety

of military operations; The identification and return of Native American human remains and cultural items in the possession or control of the Department of Defense, or discovered on land under the jurisdiction of the Department, to the appropriate Native American tribes; The control of invasive species that may hinder military activities or degrade military training ranges; The establishment of a regional curation system for artifacts found on military installations. The Secretary may negotiate and enter into cooperative agreements with public and private agencies, organizations, institutions, individuals, or other entities to carry out these programs.

**Environmental Restoration Management Program 10 USCS § 2701** authorizes the Secretary of Defense to enter into agreements with the EPA and any other federal, state, or local government agency or others to implement the Environmental Restoration Management Program. **The Legacy Resource Management Program** provides financial assistance to preserve the Department's natural and cultural heritage. The National Defense Authorization Act (Public Law 104-201, Section 2694) established the current Program mandate in fiscal year 1997. Under this mandate, the Legacy Program is tasked with managing, in a coordinated approach, our nation's natural and cultural resources. Legacy funds natural and cultural resources projects with national, regional or other wide-scale DoD applications to support overall DoD conservation goals and military readiness.

**Conservation Programs on Government lands/Military Installations 16 USCS § 670a** requires the Secretary of Defense to carry out a program to provide for the conservation and rehabilitation of natural resources on military installations.... The Secretary of a military department is required to prepare each integrated natural resources management plan for which the Secretary is responsible in cooperation with the Secretary of the Interior, acting through the Director of the U.S. Fish and Wildlife Service, and the head of each appropriate state fish and wildlife agency for the state in which the military installation concerned is located. Under **16 USCS § 670c-1**, the Secretary of a military department may enter into cooperative agreements with states, local governments, nongovernmental organizations, and individuals, and into interagency agreements with the heads of other federal departments and agencies, to provide for the following: (1) The maintenance and improvement of natural resources on, or to benefit natural and historic research on, Department of Defense installations; (2) The maintenance and improvement of natural resources located off of a Department of Defense installation if the purpose of the cooperative agreement or interagency agreement is to relieve or eliminate current or anticipated challenges that could restrict, impede, or otherwise interfere with, whether directly or indirectly, current or anticipated military activities.

**33 USCS § 2761** The Interagency Coordinating Committee on Oil Pollution Research must coordinate a comprehensive program of oil pollution research, technology development, and demonstration among the federal agencies, in cooperation and coordination with industry, universities, research institutions, state governments, and other nations, as appropriate, and must foster cost-effective research mechanisms, including the joint funding of research. In carrying out the research and development program, the agencies represented on the

Interagency Committee may enter into contracts and cooperative agreements and make grants to universities, research institutions, and other persons. The Interagency Committee must include representatives from the Coast Guard, the Department of Commerce (including the National Oceanic and Atmospheric Administration and the National Institute of Standards and Technology), the Department of Energy, the Department of the Interior (including the Minerals Management Service and the U.S. Fish and Wildlife Service), the Department of Transportation (including the Maritime Administration and the Pipeline and Hazardous Materials Safety Administration), the Department of Defense (including the Army Corps of Engineers and the Navy), the Department of Homeland Security (including the U.S. Fire Administration in the FEMA), the Environmental Protection Agency, the National Aeronautics and Space Administration, and such other federal agencies the President may designate. Such contracts, cooperative agreements, and grants must address research and technology priorities set forth in the oil pollution research plan.

### **U.S. Army Corps of Engineers**

**33 USCS § 426g** The Secretary may carry out a program for the construction of small shore and beach restoration and protection projects not specifically authorized by Congress that otherwise comply with the first section of this Act [33 USCS § 426e] if the Secretary determines that such construction is advisable. The Secretary may enter into a partnership agreement with the non-federal interest or a cooperative agreement with the head of another federal agency under the demonstration program 1) to share the costs of construction, operation, maintenance, and monitoring of a project under the demonstration program; 2) to share the costs of removing the project, or element of the project if the Secretary determines that the project or element of the project is detrimental to public or private property, public infrastructure, or public safety; or 3) to specify ownership of the completed project if the Secretary determines that the completed project will not be part of a Corps of Engineers project.

**33 USCS § 610** authorizes a comprehensive program to provide for control and progressive eradication of noxious aquatic plant growths from the navigable waters, tributary streams, connecting channels, and other allied waters of the U.S., in the combined interest of navigation, flood control, drainage, agriculture, fish and wildlife conservation, public health, and related purposes, including continued research for development of the most effective and economic control measures, to be administered by the Chief of Engineers, under the direction of the Secretary of the Army, in cooperation with other federal and state agencies. In carrying out the program under this section, the Secretary is encouraged to use contracts, cooperative agreements, and grants with colleges and universities and other non-federal entities.

**33 USCS § 2211** Before initiation of construction of a project to which this section applies, the Secretary and the non-federal interests must enter into a cooperative agreement according to the provisions of section 221 of the Flood Control Act of 1970 [42 USCS § 1962d-5b]. The non-federal interests must agree to--1) provide to the federal Government lands, easements, and rights-of-way, including those necessary for dredged material disposal facilities, and perform

the necessary relocations required for construction, operation, and maintenance of such project; 2) hold and save the U.S. free from damages due to the construction or operation and maintenance of the project, except for damages due to the fault or negligence of the U.S. or its contractors; 3) provide to the federal Government the non-federal share of all other costs of construction of such project; and 4) in the case of a deep-draft harbor, be responsible for the non-federal share of operation and maintenance required by subsection (b) of this section.

**33 USCS § 2328** authorizes the Secretary to develop and implement a program to share the cost of managing recreation facilities and natural resources at water resource development projects under the Secretary's jurisdiction. To implement the program under this section, the Secretary is authorized to enter into cooperative agreements with non-federal public and private entities to provide for operation and management of recreation facilities and natural resources at civil works projects under the Secretary's jurisdiction where such facilities and resources are being maintained at complete federal expense. Any funds received by the Secretary for purposes of carrying out this section must be deposited into the account in the Treasury of the United States entitled "Contributions and Advances, Rivers and Harbors, Corps of Engineers (8862)" and must be available until expended to carry out the purposes of this section.

**33 USCS § 2342** The Secretary must carry out a program to provide public access to water resources and related water quality data in the custody of the Corps of Engineers. To the maximum extent practicable, in carrying out activities under this section, the Secretary must develop partnerships, including cooperative agreements, with state, tribal, and local governments and other federal agencies.

**Water Resources Development Acts** authorize the Corps to perform studies and proceed with construction of specific projects. The Act often requires a nonfederal sponsor, such as state, tribal, county or local agencies or governments and sometimes nonprofit or other entities.

## Department of Commerce

**15 U.S.C. § 1540** The Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere, may enter into cooperative agreements and other financial agreements with any nonprofit organization to 1) aid and promote scientific and educational activities to foster public understanding of the National Oceanic and Atmospheric Administration or its programs; and 2) solicit private donations for the support of such activities.

**15 U.S.C. § 2904(c)(3)** The Secretary of Commerce may provide, through the National Climate Program Office, financial assistance, in the form of contracts or grants or cooperative agreements, for climate-related activities which are needed to meet the goals and priorities of the Program, if such goals and priorities are not being adequately addressed by any federal department, agency, or instrumentality.

**16 U.S.C. § 742I(b)** The Secretary of the Interior and the Secretary of Commerce may each utilize by cooperative agreement, with or without reimbursement, the personnel, services and facilities of any other federal or state agency to the extent he deems it necessary and appropriate for effective enforcement of any federal or state laws on lands, waters, or interests therein under his jurisdiction which are administered or managed for fish and wildlife purposes and for enforcement of any laws administered by him relating to fish and wildlife.

**16 U.S.C. § 753a** The Secretary of the Interior or the Secretary of Commerce is authorized to continue to enter into cooperative agreements with colleges and universities, with state game and fish departments, and with nonprofit organizations relating to cooperative research units for the purpose of developing adequate, coordinated, cooperative research and training programs for fish and wildlife resources. federal participation in the conduct of these programs must be limited-- to appointing scientific personnel to serve at the respective units, to providing assistance (including reasonable financial compensation) for the work of researchers on fish and wildlife ecology and resource management projects, to supplying equipment for the use of the units' operations, and to paying any incidental expenses of federal personnel and employees of cooperating agencies assigned to the units.

**16 U.S.C. § 1442(a)** The Secretary of Commerce may enter into cooperative agreements, contracts, or other agreements with, or make grants to, states, local governments, regional agencies, interstate agencies, or other persons to carry out the purposes and policies of the National Marine Sanctuaries Act.

**16 U.S.C. § 1854(d)(1)** The Secretary of Commerce may enter into a cooperative agreement with the states concerned under which the states administer the permit system under a fishery

management plan, and the agreement may provide that all or part of the fees collected under the system must accrue to the states.

**16 U.S.C. § 1867(a)** The Secretary of Commerce, in consultation with the Regional Fishery Management Councils, must establish a cooperative research and management program to address needs identified under the Magnuson-Stevens Act and under any other marine resource laws enforced by the Secretary. The program must be implemented on a regional basis and must be developed and conducted through partnerships among federal, state, and tribal managers and scientists (including interstate fishery commissions), fishing industry participants (including use of commercial charter or recreational vessels for gathering data), and educational institutions.

**16 U.S.C. 5156(b)** The Secretary of the Interior and the Secretary of Commerce may enter into cooperative agreements with the Atlantic States Marine Fisheries Commission or with states, for the purpose of using amounts appropriated to provide financial assistance for carrying out the purposes of the Atlantic Striped Bass Conservation Act.

**33 U.S.C. § 883e(1)** The Secretary of Commerce is authorized to enter into cooperative agreements with, and to receive and expend funds made available by, any state or subdivision thereof, any federal agency, or any public or private organization, or individual, for surveys or investigations conducted by NOAA, or for performing related surveying and mapping activities, including special-purpose maps, and for the preparation and publication of the results thereof.

**33 U.S.C. § 1915(a)(2)(B)** The Secretary of Commerce is authorized to award grants, enter into cooperative agreements with appropriate officials of other federal agencies and agencies of states and political subdivisions of states and with public and private entities, and provide other financial assistance to eligible recipients in order to carry out the plastic pollution public education program.

**33 U.S.C. § 3604(a)** The Secretary of Commerce may execute cooperative agreements with, and receive and expend funds made available by, any state or subdivision thereof, any federal agency, or any public or private organization, or individual in order to carry out interagency activities under the Integrated Coastal and Ocean Observation System.

**16 U.S.C. § 410ff-2(b)** The Secretary of the Interior is authorized and directed to enter into and continue cooperative agreements with the Secretary of Commerce and the state of California for the enforcement of federal and state laws and regulations on those lands and waters within and adjacent to the Channel Islands National Park that are owned by the state of California.

#### **National Oceanic and Atmospheric Administration**

**33 U.S.C. § 1952(c)(1)** The Administrator of NOAA, acting through the NOAA Marine Debris Prevention and Removal Program, must enter into cooperative agreements and contracts and provide financial assistance in the form of grants for projects to help identify, determine

sources of, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety.

**33 U.S.C. § 3603(c)(3)(D) NOAA** must function as the lead federal agency for the implementation and administration of the Integrated Coastal and Ocean Observation System and must have the authority to enter into and oversee contracts, leases, grants or cooperative agreements with non-federal assets, including regional information coordination entities, to support the purposes of the Integrated Coastal and Ocean Observation System Act of 2009 on such terms as the Administrator deems appropriate.

### **NOAA Fisheries**

**50 CFR 222.103** The Assistant Administrator may enter into a Cooperative Agreement with any state that establishes and maintains an active and adequate program for the conservation of resident species listed as endangered or threatened. In order for a state program to be deemed an adequate and active program, the Assistant Administrator must find, and annually reconfirm that the criteria of either sections 6(c)(1) (A) through (E) or sections 6(c)(1) (i) and (ii) of the Act have been satisfied.

**50 CFR 253.22** The Governor of each state must notify the Secretary of which agency of the state government is authorized under its laws to regulate commercial fisheries and is, therefore, designated receive financial assistance awards. An official of such agency must certify which official(s) is authorized in accordance with state law to commit the state to participation under the Act, to sign project documents, and to receive payments. Any state may, through its state agency, submit to the NMFS Regional Director a completed NOAA Grants and Cooperative Agreement Application Package with its proposal for a project, which may be multiyear. Proposals must describe the full scope of work, specifications, and cost estimates for such project.

### **NOAA Ocean Service**

None found.

### **NOAA National Weather Service**

None found.

### **NOAA Environmental Satellite, Data, & Information Service**

None found.

### **NOAA Marine and Aviation Operations**

None found.

### **NOAA Research**

None found.

## National Space and Aeronautics Administration

**The National Aeronautics and Space Act (42 U.S.C. § 2473(c)(5))** authorizes the Administration to enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary in the conduct of its work and on such terms as it may deem appropriate, with any agency or instrumentality of the U.S., or with any state, Territory, or possession, or with any political subdivision thereof, or with any person, firm, association, corporation, or educational institution. To the maximum extent practicable and consistent with the accomplishment of the purpose of this chapter, such contracts, leases, agreements, and other transactions must be allocated by the Administrator in a manner which will enable small-business concerns to participate equitably and proportionately in the conduct of the work of the Administration.

**Title IV- Upper Atmospheric Research Purpose and Policy, Section 403(a) of the Act** authorizes the Administration in cooperation with other federal agencies, to initiate and carry out a program of research, technology, monitoring, and other appropriate activities directed to understand the physics and chemistry of the upper atmosphere. **Section 403 (b)** In carrying out the provisions of this title the Administration must-- 1) arrange for participation by the scientific and engineering community, of both the Nation's industrial organizations and institutions of higher education, in planning and carrying out appropriate research, in developing necessary technology and in making necessary observations and measurements; (2) provide, by way of grant, contract, scholarships or other arrangements, to the maximum extent practicable and consistent with other laws, for the widest practicable and appropriate participation of the scientific and engineering community in the program authorized by this title; and

**42 U.S.C. § 17714** The Administrator must ensure that NASA gives high priority to those parts of its existing cooperative activities with NOAA that are related to the study of tornadoes and other severe storms, tornado-force winds, and other factors determined to influence the development of tornadoes and other severe storms, with the goal of improving the Nation's ability to predict tornados and other severe storms. Further, the Administrator must examine whether there are additional cooperative activities with NOAA that should be undertaken in the area of tornado and severe storm research.

**42 U.S.C. § 17721** The Administrator must establish an initiative involving NASA, universities, industry, and other research organizations as appropriate, of research, development, and demonstration, in a relevant environment, of technologies to ensure that commercial aircrafts noise levels on takeoff and landing do not exceed ambient noise levels, without increasing energy consumption or nitrogen oxide emissions. The initiative will also focus on reducing greenhouse gas emissions.



**42 U.S.C. § 17723** In order to be able to fly commercial aircrafts over land at supersonic speeds without adverse impacts on the environment or on local communities, the Administrator must ensure that sonic boom research is coordinated as appropriate with the Administrator of the federal Aviation Administration, and as appropriate make use of the expertise of the Partnership for Air Transportation Noise and Emissions Reduction Center of Excellence sponsored by NASA and the federal Aviation Administration.

**42 U.S.C. § 17826** The Administrator, in conjunction with the Administrator of NOAA, and other appropriate federal agencies and academic institutions must initiate an inventory natural methane stocks and fluxes in the polar region of the U.S..

**42 U.S.C. § 17711** As part of NASA's Earth Science Program, the Administrator must together with NOAA and other relevant agencies, provide U.S. leadership in developing and carrying out a cooperative international Earth observations-based research program. The goal of the Earth Science Program is to better understand the Earth, how it supports life, and how human activities affect its ability to do so in the future. It will also secure knowledge about climate change.

**42 U.S.C. § 17751** The Administrator must develop a Research Management Plan for the International Space Station. Such Plan must also identify the organization to be responsible for managing U.S. research on the International Space Station, including a description of the relationship of the management institution with NASA (e.g., internal NASA office, contract, cooperative agreement, or grant). Such Plan must be developed in consultation with other federal agencies, academia, industry, and other relevant stakeholders.

**42 U.S.C. § 16106** The Secretary of Transportation must enter into a cooperative agreement with NASA for the development of ultra-efficient engine technology for aircrafts. The goals are to increase fuel efficiency by at least ten percent, to reduce nitrogen oxide emissions to improve local air quality, and explore the use of alternative fuel.

**16 U.S.C. § 459j-1** In accepting lands transferred by the National Aeronautics and Space Administration, the Secretary of the Interior must enter into a written cooperative agreement with the Administrator to assure the use of such lands in a manner which is deemed consistent with the public safety and with the needs of the space and defense programs of the Nation: *Provided*, That no new construction or development must be permitted within the seashore, except for the construction of such facilities as the Secretary deems necessary for the health and safety of the visiting public or for the proper administration of the seashore: *Provided further*, That after January 3, 1975, the Secretary of the Interior, in cooperation with the Administrator of the National Aeronautics and Space Administration, must submit to the Committees on Natural Resources and on Science, Space, and Technology of the House of Representatives and to the Committees on Energy and Natural Resources and on Commerce, Science, and Transportation of the Senate a report of all land transfers made by the National Aeronautics and Space Administration to the Department of the Interior under this section.

## **Environmental Protection Agency**

### **Comprehensive Environmental Response, Compensation, and Liability Act**

**42 U.S.C. 9660(a)** The Administrator of the EPA is authorized to, in consultation with the Secretary of Health and Human Services, establish a research and training program (via grants, cooperative agreements, and contracts) that considers the effects of hazardous substances on human health and the environment. **42 U.S.C. 9660(a)(3)** These cooperative agreements may be entered into with an accredited institution of higher education.

**42 U.S.C. 9660(b)(3)** The Administrator is authorized to enter into cooperative agreements with persons, public entities, and nonprofit private entities exempt from tax under §501(c)(3) of the Internal Revenue Code in order to carry out a program of research, evaluation, and development of alternative or innovative treatments for permanent protections of human health, welfare, and the environment.

**42 U.S.C. 9660(c)** The Administrator is further authorized to conduct and support, via cooperative agreements, research into the effect that hazardous substances have on human health and the environment.

**42 U.S.C. 9661(d)** Love Canal Property Acquisition - The Administrator must enter into a cooperative agreement with an appropriate public agency or authority of the state of New York under which the Administrator must maintain or arrange for the maintenance of all properties within the Emergency Declaration Area that have been acquired by any public agency or authority of the state.

### **Clean Water Act**

**33 U.S.C. 1268(e)(3)** The Administrator of the EPA is authorized to enter cooperative agreements with the Great Lakes states to prepare a health research report assessing the adverse effects of water pollutants in the Great Lakes System on the health of people living in the Great Lakes states and the health of fish and wildlife in the Great Lakes System.

**33 U.S.C. 1377(d)** To implement the provisions of this Act, the Administrator of the EPA may approve cooperative agreements between states and Indian tribes to jointly plan and administer this Act.

### **Energy Independence and Security Act of 2007**

**42 U.S.C. §1203(c)(9)** The Administrator must establish a Small Business Energy Efficiency Program to provide energy efficiency assistance to small business concerns through small business development centers. The administrator is authorized to enter cooperative agreements to carry out this program.

**National Energy Policy and Program, 42 U.S.C. 15952** At the request of the Governor of a state the Administrator may enter into a refinery permitting cooperative agreement with the state, under which each party to the agreement identifies steps, including timelines that it will take to streamline the consideration of federal and state environmental permits for a new refinery.

**Federal Insecticide, Fungicide, and Rodenticide Act**

**7 U.S.C. 136a(c)(2)(B)(viii)(I)-(II)** If data required to support registration of a pesticide is requested by a federal or state regulatory authority, the Administrator of the EPA must coordinate data requirements, test protocols, timetables, and standards of review and reduce burdens and redundancy caused to the registrant. The Administrator may enter into a cooperative agreement with a state to carry out this task.

**7 U.S.C. 136u(a)(1)-(2)** The Administrator of the EPA may enter into cooperative agreements with states and Indian tribes to delegate to any state or Indian tribe the authority to cooperate in the enforcement of this Act through the use of its personnel or facilities, to train personnel of the state or Indian tribe to cooperate in the enforcement of this Act, and to assist states and Indian tribes in implementing cooperative enforcement programs through grants.

**7 U.S.C. 136w-1(b)** Any state that enters into a cooperative agreement with the Administrator under 7 U.S.C. 136u(a) of this Act for the enforcement of pesticide use restrictions must have the primary enforcement responsibility for pesticide use violations.

**Marine Protection Research and Sanctuaries Act**

**33 U.S.C. 2803(d)(vii)(A)-(B)** The Administrator, the Under Secretary, and the Governor of each state having waters subject to an intensive coastal water quality monitoring program developed pursuant to this subsection must ensure compliance with that program. The Administrator and the Under Secretary are authorized to enter into cooperative agreements to provide financial assistance to non-federal agencies and institutions to support implementation of intensive monitoring programs under this subsection.

**Oil Pollution Act**

**33 U.S.C. 2761(a)(3)** the EPA is a member of the interagency committee on oil pollution research. Under **33 U.S.C. 2761(c)(10)**, the agencies on the Interagency Committee may enter into cooperative agreements with universities, research institutions, and other persons to carry out the research and development program established under this subsection. These agreements must address research priorities addressed in the oil pollution research plan in subsection (b), which includes identifying prevention and mitigation techniques for oil pollution as well as the effect of oil pollution on the environment.

**Resource Conservation and Recovery Act**

**42 U.S.C. 6991b(h)(5)** The Administrator of the EPA may undertake corrective actions pursuant to this Act, including temporary or permanent relocation of residents and alternative household water supplies. In order to perform these corrective actions, the Administrator may undertake

an exposure assessment or provide for such an assessment in a cooperative agreement with a state.

**42 U.S.C. 6991b(h)(7)** states may undertake such corrective actions if the Administrator determines that the state has the ability to carry out the corrective activities and the Administrator enters into a cooperative agreement with the state setting out what actions the state is authorized to take.

#### **Safe Drinking Water Act**

**42 U.S.C. § 300g-1(b)(12)(A)(iii)** The administrator of the EPA is authorized to enter into cooperative agreements with other federal agencies, state and local governments, and other interested public and private entities in order to implement a comprehensive plan for study in support of drinking water rulemaking to reduce the uncertainty in assessing health risks associated with exposure to low levels of arsenic.

**42 U.S.C. § 300g-1(b)(13)(C)** The National Academy of Sciences was to prepare a risk assessment for radon levels in indoor air; should NAS decline to prepare such an assessment, the administrator of the EPA is authorized to enter a cooperative agreement with another independent scientific organization to complete the study.

**42 U.S.C. § 300h-6(i)-(j)** The Administrator has the authority to approve or disapprove applications for sole source aquifers by determining if a demonstration program for the area would provide protection of groundwater quality. If the application is approved, the Administrator may enter into a cooperative agreement with the applicant to establish the demonstration program.

**42 U.S.C § 300i-3(a)** The Administrator, in consultation with the Centers for Disease Control and, after consultation with appropriate departments and agencies of the federal Government and with state and local governments, must review (or enter into contract or cooperative agreements to provide for a review of) current and future methods to prevent, detect and respond to the intentional introduction of chemical, biological or radiological contaminants into community water systems and source water for community water systems.

**42 U.S.C § 300i-4(a)** The Administrator, in coordination with the appropriate departments and agencies of the federal Government, must review (or enter into contracts or cooperative agreements to provide for a review of) methods and means by which terrorists or other individuals or groups could disrupt the supply of safe drinking water or take other actions against water collection, pretreatment, treatment, storage and distribution facilities which could render such water significantly less safe for human consumption.

#### **Toxic Substances Control Act**

**15 U.S.C. 2668(a)** Upon the application of colleges, universities, institutions of higher learning, or consortia of such institutions, the Administrator may make a grant or cooperative agreement, subject to such terms and conditions as the Administrator considers appropriate,

under this section to the applicant for the purpose of establishing and operating a regional radon training center.

**Environmental Programs Assistance Act, 42 U.S.C.A. § 4368(a)** The Administrator of the EPA is authorized to make grants to, or enter into cooperative agreements with, private nonprofit organizations designated by the Secretary of Labor under title V of the Older Americans Act of 1965 (42 U.S.C.A. § 3056 et. seq.) to utilize the talents of older Americans in providing technical assistance to federal, state, and local environmental agencies for projects of pollution prevention, abatement, and control.

**Energy Policy and Conservation Act, 42 U.S.C.A. § 6307(c)** The Secretary of the Department of Energy, the Administrator of the EPA and the Administrator of the Small Business Administration, as part of the outreach to small business concerns under the Energy Star Program for Small Business Program, may enter into cooperative agreements with qualified resources partners (including the National Center for Appropriate Technology) to establish, maintain, and promote a Small Business Energy Clearinghouse where small business concerns may access technical information and advice to help increase energy efficiency and reduce energy costs.

## Department Of Energy

### Department of Energy Organization Act

**42 U.S.C. § 7235(a)** The Secretary is authorized to provide for participation of Armed Forces personnel in carrying out functions authorized to be performed, on August 4, 1977, in the Energy Research and Development Administration and under chapter 641 of Title 10. Members of the Armed Forces may be detailed for service in the Department by the Secretary concerned (as such term is defined in section 101 of such title) pursuant to cooperative agreements with the Secretary.

**42 U.S.C § 7256** The Secretary is authorized to enter into and perform such contracts, leases, cooperative agreements or other similar transactions with public agencies and private organizations and persons, and to make such payments as he may deem to be necessary or appropriate to carry out functions now or hereafter vested in the Secretary.

**42 U.S.C. 7274g(c)** The Secretary of Energy is authorized to award grants to, and enter into cooperative agreements with, affected states and affected Indian tribes to assist such states and tribes in participating in the development of the annual five-year plan (including the preliminary form of such plan).

**42 U.S.C. 13435(c)-(d)** The Secretary, consistent with the comprehensive plan under subsection (b) of this section, may enter into cooperative agreements to conduct research and development projects with industry in areas of technology development, including: high efficiency electric power trains, light-weight structures for electric motor vehicle weight reduction; advanced batteries with high energy density and power density for electric motor vehicle application; hybrid power trains incorporating an electric motor and recyclable battery charged by an onboard liquid fuel engine, designed to significantly improve fuel economies while maintaining acceleration characteristics comparable to a conventionally fueled vehicle; batteries and fuel cells for electric-hybrid vehicle application; fuel cells and fuel cell systems for primary electric motor vehicle power sources; and photovoltaics for use with electric motor vehicles. The Secretary may solicit additional proposals for cooperative agreements under subsection (c) of this section if, in the judgment of the Secretary, such cooperative agreements could contribute to the development of electric motor vehicles and associated equipment.

### Energy Policy Act of 2005

**42 U.S.C. 13236(a)(1)-(3)** The Secretary of Transportation, in consultation with the Secretary, may enter into cooperative agreements and joint ventures proposed by any municipal, county, or regional transit authority in an urban area with a population over 100,000 (according to latest available census information) to demonstrate the feasibility of commercial application, including safety of specific vehicle design, of using alternative fuels for urban buses and other motor vehicles used for mass transit. These agreements may include interested or affected private firms willing to provide assistance in cash or in kind.

**42 U.S.C. 13433(a)-(b)** The Secretary may enter into cooperative agreements with, and provide financial assistance to, public or private entities willing to provide 50 percent of the costs of a program to perform activities relating to improving natural gas or other alternative fuel vehicle technologies. Under **42 U.S.C. 13435(c)**, the Secretary may enter cooperative agreements to conduct research and development into to improving natural gas or other alternative fuel vehicle technologies.

**42 U.S.C. 13474** the Secretary must evaluate the status of international fusion programs and evaluate whether the federal Government should initiate efforts to strengthen existing international cooperative agreements in fusion energy or enter into new cooperative agreements to develop the technology of fusion power.

**42 U.S.C. 13479(d)(1)** the Secretary may authorize a cooperative agreement with a qualified research institution to administer the Matsunaga Renewable Energy and Ocean Technology Center, as a site to conduct renewable energy and associated marine research.

**42 U.S.C. 13451(a)(2)** in carrying out research, development, and demonstration programs and activities under the Energy Policy Act, the Secretary may use, to the extent authorized under applicable provisions of law, contracts, cooperative agreements, cooperative research and development agreements under the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C.A. § 3701 et seq.), grants, joint ventures, and any other form of agreement available to the Secretary.

**42 U.S.C. 13451(b)** in carrying out commercial application programs and commercial application activities under this Act, the Secretary may use, to the extent authorized under applicable provisions of law, contracts, cooperative agreements, cooperative research and development agreements under the Stevenson-Wydler Technology Innovation Act of 1980, grants, joint ventures, and any other form of agreement available to the Secretary. An objective of any commercial application program is the acceleration of the transition of technologies from the research and development stage.

**42 U.S.C. 13572** The Secretary may financially assist programs which facilitate the production and generation of coal based power via clean coal electric generating equipment and processes, which improve energy efficiency or the environmental performance consistent with federal and state clean air requirements, including the Clean Air Act. Such financial assistance may be in the form of grants, cooperative agreements, or loans.

#### **Energy Policy and Conservation Act**

**42 U.S.C. 6307(d)(4)** The Secretary, the Administrator of the Environmental Protection Agency, and the Administrator of the Small Business Administration, as part of the outreach to small business concerns under the Energy Star Program for Small Business Program, may enter into cooperative agreements with qualified resources partners (including the National Center for Appropriate Technology) to establish, maintain, and promote a Small Business Energy Clearinghouse

**Federal Nonnuclear Energy Research and Development Act, 42 U.S.C. 5907** The Secretary may enter cooperative agreements with non-federal entities to demonstrate the technical feasibility and economic potential of energy technologies on a prototype or full-scale basis.

**Clean Air Act, § 901(h)(1)** The Secretary of Energy is authorized to enter into contracts and cooperative agreements with, and make grants to, nonprofit entities affiliated with the University of Nevada and the University of Wyoming.

#### **Nuclear Waste Policy Act**

**42 U.S.C. § 10155(d)(2)** At the time of selection by the Secretary of any site or existing facility, but prior to undertaking any site-specific work or alterations, the Secretary must promptly notify the Governor, the legislature, and any affected tribal Council in writing of such selection, and subject to the provisions of paragraph (6) of this subsection, must promptly enter into negotiations with such state and affected tribal Council to establish a cooperative agreement under which such state and Council must have the right to participate in a process of consultation and cooperation, based on public health and safety and environmental concerns, in all stages of the planning, development, modification, expansion, operation, and closure of storage capacity at a site or facility within such state for the interim storage of spent fuel from civilian nuclear power reactors.

**42 U.S.C. § 10198(b)** The Secretary must establish a demonstration program for the dry storage of spent nuclear fuel at civilian nuclear power reactor sites with the objective of establishing one or more technologies that the Commission may, by rule, approve for use at the sites of civilian nuclear power reactors without, to the maximum extent practicable, the need for additional site-specific approvals by the Commission. To achieve this goal, the Secretary may enter a cooperative agreement with each site selected to participate in this demonstration program.

#### **Uranium Mill Tailings Designation Control Act**

**42 U.S.C. § 7913(a)** After notifying a state that a processing site has been designated within the state, the Secretary is authorized to enter into cooperative agreements with such state to perform remedial actions at each designated processing site, unless the site is located on Indian lands.

**42 U.S.C. § 7915(a)** After notifying the Indian tribe that a processing site has been designated within its borders, the Secretary of Energy, in consultation with the Secretary of the Interior, is authorized to enter into a cooperative agreement with any Indian tribe to perform remedial action at a designated processing site located on land of such Indian tribe.

**Nonnuclear Energy Research and Development Act, 42 U.S.C. §5907(a)(2)** The Secretary of Energy is authorized to enter into cooperative agreements with non-federal entities to demonstrate the technical feasibility and economic potential of energy technologies on a prototype or full-scale basis.



## Department of Homeland Security

**Homeland Security Act of 2002, 6 U.S.C. § 112(b)(2)** authorizes the Secretary of Homeland Security to make contracts, grants and cooperative agreements, and to enter into agreements with other executive agencies as may be necessary and proper to carry out the Secretary's responsibilities.

Under **6 U.S.C. § 162(b)(15)**, the Office of Science and Technology, under the Department of Homeland Security, must have the duty to enter into cooperative agreements, which may require in-kind or cash matches from the recipient, as necessary to carry out its mission. Additionally the Office of Science and Technology may transfer funds to other federal agencies or provide funding to non-federal entities through grants, cooperative agreements, or contracts to carry out its duties under this section, *provided that* any such transfer or provision of funding must be carried out in accordance with section 605 of Public Law 107-77. **6 U.S.C. § 162(f)**.

**6 U.S.C. § 187** establishes the Homeland Security Advanced Research Projects Agency (HSARPA) headed by a Director who must be appointed by the Secretary of Homeland Security and must report to the Under Secretary. Under **6 U.S.C. § 187(b)(3)**, the Director must administer cooperative agreements to public or private entities, including businesses, federally funded research and development centers, and universities.

Under **6 U.S.C. § 188(b)(1)(C)**, the Secretary of Homeland Security, acting through the Under Secretary for Science and Technology, must operate extramural research, development, demonstration, testing, and evaluation programs so as to distribute funds through cooperative agreements.

**6 U.S.C. § 195c** designates the Under Secretary to establish the Science and Technology Homeland Security International Cooperative Programs Office, headed by a Director who is selected by and reports to the Under Secretary of the Department of Homeland Security. Under **6 U.S.C. § 195c(b)(3)(C)**, the Director must facilitate the planning, development, and implementation of international cooperative activity to address the strategic priorities of the office through mechanisms the Under Secretary deems appropriate, such as cooperative agreements with foreign public or private entities, governmental organizations, businesses (including small businesses and socially and economically disadvantaged small businesses (as those terms are defined in sections 632 and 637 of Title 15, respectively)), federally funded research and development centers, and universities. Additionally, every five years, the Under Secretary, acting through the Director, must submit to Congress a report containing a brief description of each cooperative agreement entered into under subsection (b)(3)(C), including the participants, goals and amount and sources of funding. **6 U.S.C. § 195c(e)(1)**.

**6 U.S.C. § 316(a)** establishes the National Emergency Management Agency as a distinct entity with the Department of Homeland Security. The Administrator of the National Emergency

Management Agency in general identifies 10 regional offices, each of which is headed by a Regional Administrator who must be appointed by the Administrator. **6 U.S.C. § 317(a) & (b)**. Each Regional Administrator is responsible, *inter alia*, for fostering the development of mutual aid and other cooperative agreements. **6 U.S.C. § 316(c)(2)(F)**.

**6 U.S.C. § 488c(a)(1)** authorizes the Secretary of Homeland Security to enter into cooperative agreements with the Secretary of Agriculture, or the head of any state department of agriculture or its designee involved in agricultural regulation, to carry out the provisions of 6 U.S.C. § 488 – the secure handling of ammonium nitrate. Additionally, wherever possible, the Secretary must seek to cooperate with state agencies or their designees that oversee ammonium nitrate facility operations when seeking cooperative agreements to implement the registration and enforcement provisions of the secure handling of ammonium nitrate. **6 U.S.C. § 488c(a)(2)**.

**14 U.S.C. § 93(a)(19)(A) & (B)** states that for the purpose of executing the duties and functions of the Coast Guard the Commandant may, notwithstanding any other law, enter into cooperative agreements with states, local governments, non-governmental organizations, and individuals, to accept and utilize voluntary services for the maintenance and improvement of natural and historic resources on, or to benefit natural and historic research on, Coast Guard facilities, subject to the requirement that the cooperative agreements must each provide for the parties to contribute funds or services on a matching basis to defray the costs of such programs, projects, and activities under the agreement; and a person providing voluntary services must not be considered a federal employee except for purposes of chapter 81 of title 5, U.S. Code, with respect to compensation for work-related injuries, and chapter 171 of title 28, U.S. Code, with respect to tort claims. Additionally, the Commandant may enter into cooperative agreements with other Government agencies and the National Academy of Sciences. **14 U.S.C. § 93(a)(20)**. **6 U.S.C. § 468(b)** transfers to the Department of Homeland Security authorities, functions, personnel, and assets of the Coast Guard, which must be maintained as a distinct entity within the Department, including the authorities and functions of the Secretary of Transportation relating thereto.

**15 U.S.C. § 2218(b)(1)** authorizes the Administrator of the U.S. Fire Administration, an entity of the Department of Homeland Security's FEMA, to enter into, without regard to section 5 of Title 41, such contracts, grants, leases, cooperative agreements, or other transactions as may be necessary to carry out the provisions of Chapter 49 – Fire Prevention and Control.

**33 U.S.C. § 2761(a)(1)** establishes an Interagency Coordinating Committee on Oil Pollution Research whose purpose is to coordinate a comprehensive program of oil pollution research, technology development, and demonstration among the federal agencies, in cooperation and coordination with industry, universities, research institutions, state governments, and other nations, as appropriate, and to foster cost-effective research mechanisms, including the joint funding of research. **33 U.S.C. § 2761(a)(2)**. The Interagency Committee includes representatives from, among others, the Department of Homeland Security (including the U.S. Fire Administration in the FEMA). **33 U.S.C. § 2761(a)(3)**. In carrying out the research and

development program established under this subsection, the agencies represented on the Interagency Committee, including the Department of Homeland Security, may enter into contracts and cooperative agreements and make grants to universities, research institutions, and other persons. Such contracts, cooperative agreements, and grants must address research and technology priorities set forth in the oil pollution research plan (found under subsection (b) of section 2761). **33 U.S.C. § 2761(c)(10)**.

**42 U.S.C. §247d-6b** requires that the Secretary of Health and Human Services, in coordination with the Secretary of Homeland Security, maintain a stockpile or stockpiles of drugs, vaccines, and other biological products, medical devices to provide for the emergency health security of the U.S., including the emergency health security of children and other vulnerable populations, in the event of a bioterrorist attack or other public health emergency. **42 U.S.C. §247d-6b(a)(1)**. In general, the Secretary of Health and Human Services must enter into cooperative agreements to ensure that the stockpile under subsection (a) described above includes an amount of vaccine against smallpox as determined to be sufficient to meet the health security needs of the U.S. **42 U.S.C. §247d-6b(b)(1)**.

The Homeland Security Secretary, in consultation with the Secretary of Health and Human Services, must assess the current and emerging threats of chemical, biological, radiological, and nuclear agents and determine whether such agents present a material threat against the U.S. population sufficient to affect national security. **42 U.S.C. §247d-6b(c)(2)(A)(i) & (ii)**. In making that assessment and determination, the Homeland Security Secretary must use all relevant information to which such Secretary is entitled under **section 122 of Title 6** (authorizing cooperative arrangements with other executive agencies to provide material regarding terrorism threats), including but not limited to information, regardless of its level of classification, relating to current and emerging threats of chemical, biological, radiological, and nuclear agents. **42 U.S.C. §247d-6b(c)(2)(D)**.

Under **42 U.S.C. § 4101(b)**, the Director of the FEMA is authorized (without regard to 31 U.S.C. § 3324(a) & (b) and 41 U.S.C. §5) to enter into contracts, cooperative agreements, or other transactions to accomplish the objective of accelerating the identification of risk zones within flood-prone and mudslide-prone areas in order to make known the degree of hazard within each such zone at the earliest possible date. Additionally, the Director is authorized to consult with, receive information from, and enter into any agreement or other arrangements with the Secretaries of the Army, the Interior, Agriculture, and Commerce, the Tennessee Valley Authority, and *the heads of other federal departments or agencies*, on a reimbursement basis, in order to identify and publish information with respect to all flood plain areas, including coastal areas located in the U.S. that have special flood hazards and to establish or update flood-risk zone data in all such areas. **42 U.S.C. § 4101(a)(1) & (2)** (emphasis added). For the transfer of functions, personnel, assets, and liabilities for the FEMA, including the functions of the Director of the FEMA relating thereto, to the Secretary of Homeland Security, see **6 U.S.C. §§ 313(1), 551(d), 552(d), and 557** and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under **6 U.S.C. § 542**.

**42 U.S.C. § 5197h(a)** states that the Director of the Federal Emergency Management Agency must establish a minority emergency preparedness demonstration program to research and promote the capacity of minority communities to provide data, information, and awareness education by providing grants to or executing contracts or cooperative agreements with eligible nonprofit organizations to establish and conduct such programs. For the transfer of functions, personnel, assets, and liabilities for the FEMA, including the functions of the Director of the FEMA relating thereto, to the Secretary of Homeland Security, see **6 U.S.C. §§ 313(1), 551(d), 552(d), and 557** and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under **6 U.S.C. § 542**.

**42 U.S.C. § 7704** establishes the National Earthquake Hazards Reduction Program, which is designed to promote the adoption of earthquake hazards reduction measures by federal, state, and local governments, national standards and model code organizations, architects and engineers, building owners, etc., through grants, contracts, cooperative agreements and technical assistance, among other things. **42 U.S.C. § 7704(a)(1) & (2)(B)(i)**. According to **42 U.S.C. § 7704(b)(2)(A)(ix)**, the Under Secretary of Homeland Security for Emergency Preparedness and Response (the Administrator of the FEMA) may enter into cooperative agreements or contracts with states and local jurisdictions and other federal agencies to establish demonstration projects on earthquake hazard mitigation, to link earthquake research and mitigation efforts with emergency management programs, or to prepare educational materials for national distribution.

**46 U.S.C. § 70107** establishes a grant program for the allocation of funds based on risk to implement Area Maritime Transportation Security Plans and facility security plans among port authorities, facility operators, and state and local government agencies required to provide port security services. The Secretary of Transportation must ensure that projects paid for, or the costs of which are reimbursed, under this section within any area or port are coordinated with other projects, and may require cooperative agreements among users of the port and port facilities with respect to projects funded under this section. **46 U.S.C. § 70107(d)**. In general, the Secretary of Transportation may make grants or enter into cooperative agreements with eligible nonprofit institutions of higher learning to conduct investigations in collaboration with ports and the maritime transportation industry focused on enhancing security of the Nation's ports through National Port Security Centers. **46 U.S.C. § 70107(m)(3)(A)**. **6 U.S.C. § 468(b)** transfers to the Department of Homeland Security authorities, functions, personnel, and assets of the Coast Guard, which must be maintained as a distinct entity within the Department, including the authorities and functions of the Secretary of Transportation relating thereto. "Homeland Security Missions" mean the following missions of the Coast Guard: (a) ports, waterways and coastal security; (b) drug interdiction; (c) migrant interdiction; (d) defense readiness; (e) other law enforcement. **6 U.S.C. § 468(a)(2)**.

**Executive Order No. 13397, 71 FR 12275, 2006 WL 559127 (Pres.)** outlines the responsibilities of the Department of Homeland Security with respect to faith-based and community initiatives. Accordingly, the Secretary of Homeland Security must establish within the Department of Homeland Security a Center for Faith-Based and Community Initiatives (Center). Section 4 of

the executive order requires the Center to annually prepare and submit a report to the Director of the White House Office of Faith-Based and Community Initiatives (WHOFBCI Director) that includes a summary of the technical assistance and other information that will be available to faith-based and other community organizations regarding the program activities of the agency and the preparation of applications or proposals for grants, cooperative agreements, contracts, and procurement.