

106TH CONGRESS
1ST SESSION

H. R. 2389

AN ACT

To restore stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for use by the counties for the benefit of public schools, roads, and other purposes.

106TH CONGRESS
1ST SESSION

H. R. 2389

AN ACT

To restore stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for use by the counties for the benefit of public schools, roads, and other purposes.

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
 5 “Secure Rural Schools and Community Self-Determina-
 6 tion Act of 1999”.

7 (b) **TABLE OF CONTENTS.**—The table of contents of
 8 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purpose.

Sec. 3. Definitions.

**TITLE I—SECURE PAYMENTS FOR STATES AND COUNTIES
 CONTAINING FEDERAL LANDS**

Sec. 101. Determination of full payment amount for eligible States and coun-
 ties.

Sec. 102. Payments to States from Forest Service lands for use by counties to
 benefit public education and transportation.

Sec. 103. Payments to counties from Bureau of Land Management lands for
 use to benefit public safety, law enforcement, education, and
 other public purposes.

TITLE II—LOCALLY INITIATED PROJECTS ON FEDERAL LANDS

Sec. 201. Definitions.

Sec. 202. General limitation on use of project funds.

Sec. 203. Submission of project proposals by participating counties.

Sec. 204. Evaluation and approval of projects by Secretary concerned.

Sec. 205. Local advisory committees.

Sec. 206. Use of project funds.

Sec. 207. Duration of availability of a county’s project funds.

Sec. 208. Treatment of funds generated by locally initiated projects.

TITLE III—FOREST COUNTIES PAYMENTS COMMITTEE

Sec. 301. Definitions.

Sec. 302. National advisory committee to develop long-term methods to meet
 statutory obligation of Federal lands to contribute to public
 education and other public services.

Sec. 303. Functions of Advisory Committee.

Sec. 304. Federal Advisory Committee Act requirements.

Sec. 305. Termination of Advisory Committee.

Sec. 306. Sense of the Congress regarding Advisory Committee recommenda-
 tions.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Authorization of appropriations.
Sec. 402. Treatment of funds and revenues.
Sec. 403. Conforming amendments.

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) FINDINGS.—The Congress finds the following:

3 (1) The National Forest System, which is man-
4 aged by the United States Forest Service, was estab-
5 lished in 1907 and has grown to include approxi-
6 mately 192,000,000 acres of Federal lands.

7 (2) The public domain lands known as revested
8 Oregon and California Railroad grant lands and the
9 reconveyed Coos Bay Wagon Road grant lands,
10 which are managed predominantly by the Bureau of
11 Land Management were returned to Federal owner-
12 ship in 1916 and 1919 and now comprise approxi-
13 mately 2,600,000 acres of Federal lands.

14 (3) Congress recognized that, by its decision to
15 secure these lands in Federal ownership, the coun-
16 ties in which these lands are situated would be de-
17 prived of revenues they would otherwise receive if
18 the lands were held in private ownership.

19 (4) Even without such revenues, these same
20 counties have expended public funds year after year
21 to provide services, such as education, road construc-
22 tion and maintenance, search and rescue, law en-
23 forcement, waste removal, and fire protection, that

1 directly benefit these Federal lands and people who
2 use these lands.

3 (5) To accord a measure of compensation to the
4 affected counties for their loss of future revenues
5 and for the critical services they provide to both
6 county residents and visitors to these Federal lands,
7 Congress determined that the Federal Government
8 should share with these counties a portion of the
9 revenues the United States receives from these Fed-
10 eral lands.

11 (6) Congress enacted in 1908 and subsequently
12 amended a law that requires that 25 percent of the
13 revenues derived from National Forest System lands
14 be paid to States for use by the counties in which
15 the lands are situated for the benefit of public
16 schools and roads.

17 (7) Congress enacted in 1937 and subsequently
18 amended a law that requires that 50 percent of the
19 revenues derived from the revested and reconveyed
20 grant lands be paid to the counties in which those
21 lands are situated to be used as are other county
22 funds.

23 (8) For several decades during the dramatic
24 growth of the American economy, counties depend-
25 ent on and supportive of these Federal lands re-

1 ceived and relied on increasing shares of these reve-
2 nues to provide educational opportunities for the
3 children of residents of these counties.

4 (9) In recent years, the principal source of
5 these revenues, Federal timber sales, has been
6 sharply curtailed and, as the volume of timber sold
7 annually from most of the Federal lands has de-
8 creased precipitously, so too have the revenues
9 shared with the affected counties.

10 (10) This decline in shared revenues has se-
11 verely impacted or crippled educational funding in,
12 and the quality of education provided by, the af-
13 fected counties.

14 (11) In the Omnibus Budget Reconciliation Act
15 of 1993, Congress recognized this trend and amelio-
16 rated its adverse consequences by providing an alter-
17 native annual safety net payment to 72 counties in
18 Oregon, Washington, and northern California in
19 which Federal timber sales had been restricted or
20 prohibited by administrative and judicial decisions to
21 protect the northern spotted owl.

22 (12) The authority for these particular safety
23 net payments is expiring and no comparable author-
24 ity has been granted for alternative payments to
25 counties elsewhere in the United States that have

1 suffered similar losses in shared revenues from the
2 Federal lands and in the educational funding those
3 revenues provide.

4 (13) Although alternative payments are not an
5 adequate substitute for the revenues, wages, pur-
6 chasing of local goods and services, and social oppor-
7 tunities that are generated when the Federal lands
8 are managed in a manner that encourages revenue-
9 producing activities, such alternative payments are
10 critically needed now to stabilize educational funding
11 in the affected counties.

12 (14) Changes in Federal land management, in
13 addition to having curtailed timber sales, have al-
14 tered the historic, cooperative relationship between
15 counties and the Forest Service and the Bureau of
16 Land Management.

17 (15) Both the Forest Service and the Bureau of
18 Land Management face significant backlogs in infra-
19 structure maintenance and ecosystem restoration
20 that are not likely to be addressed through annual
21 appropriations.

22 (16) New relationships between the counties in
23 which these Federal lands are located and the man-
24 agers of these Federal lands need to be formed to
25 benefit both the natural resources and rural commu-

1 nities of the United States as the 21st century be-
2 gins.

3 (b) PURPOSES.—The purposes of this Act are—

4 (1) to provide Federal funds to county govern-
5 ments that are dependent on and supportive of the
6 Federal lands so as to assist such counties in restor-
7 ing funding for education and other public services
8 that the counties must provide to county residents
9 and visitors;

10 (2) to provide these funds on a temporary basis
11 in a form that is environmentally sound and con-
12 sistent with applicable resource management plans;

13 (3) to facilitate the development, by the Federal
14 Government and the counties which benefit from the
15 shared revenues from the Federal lands, of a new
16 cooperative relationship in Federal land management
17 and the development of local consensus in imple-
18 menting applicable plans for the Federal lands;

19 (4) to identify and implement projects on the
20 Federal lands that enjoy broad-based local support;
21 and

22 (5) to make additional investments in infra-
23 structure maintenance and ecosystem restoration on
24 Federal lands.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) FEDERAL LANDS.—The term “Federal
4 lands” means—

5 (A) lands within the National Forest Sys-
6 tem, as defined in section 11(a) of the Forest
7 and Rangeland Renewable Resources Planning
8 Act of 1974 (16 U.S.C. 1609(a)); and

9 (B) the Oregon and California Railroad
10 grant lands revested in the United States by
11 the Act of June 9, 1916 (chapter 137; 39 Stat.
12 218), Coos Bay Wagon Road grant lands recon-
13 veyed to the United States by the Act of Feb-
14 ruary 26, 1919 (chapter 47; 40 Stat. 1179),
15 and subsequent additions to such lands.

16 (2) ELIGIBILITY PERIOD.—The term “eligibility
17 period” means fiscal year 1984 through fiscal year
18 1999.

19 (3) ELIGIBLE COUNTY.—The term “eligible
20 county” means a county or borough that received
21 50-percent payments for one or more fiscal years of
22 the eligibility period or a county or borough that re-
23 ceived a portion of an eligible State’s 25-percent
24 payments for one or more fiscal years of the eligi-
25 bility period. The term includes a county or borough
26 established after the date of the enactment of this

1 Act so long as the county or borough includes all or
2 a portion of a county or borough described in the
3 preceding sentence.

4 (4) ELIGIBLE STATE.—The term “eligible
5 State” means a State that received 25-percent pay-
6 ments for one or more fiscal years of the eligibility
7 period.

8 (5) FULL PAYMENT AMOUNT.—The term “full
9 payment amount” means the amount calculated for
10 each eligible State and eligible county under section
11 101.

12 (6) 25-PERCENT PAYMENTS.—The term “25-
13 percent payments” means the payments to States
14 required by the sixth paragraph under the heading
15 of “FOREST SERVICE” in the Act of May 23,
16 1908 (35 Stat. 260; 16 U.S.C. 500), and section 13
17 of the Act of March 1, 1911 (36 Stat. 963; 16
18 U.S.C. 500).

19 (7) 50-PERCENT PAYMENTS.—The term “50-
20 percent payments” means the payments that are the
21 sum of the 50-percent share otherwise paid to a
22 county pursuant to title II of the Act of August 28,
23 1937 (chapter 876; 50 Stat. 875; 43 U.S.C. 1181f),
24 and the payment made to a county pursuant to the

1 Act of May 24, 1939 (chapter 144; 53 Stat. 753; 43
2 U.S.C. 1181f–1 et seq.).

3 (8) SAFETY NET PAYMENTS.—The term “safety
4 net payments” means the payments to States and
5 counties required by section 13982 or 13983 of the
6 Omnibus Budget Reconciliation Act of 1993 (Public
7 Law 103–66; 16 U.S.C. 500 note; 43 U.S.C. 1181f
8 note).

9 **TITLE I—SECURE PAYMENTS**
10 **FOR STATES AND COUNTIES**
11 **CONTAINING FEDERAL**
12 **LANDS**

13 **SEC. 101. DETERMINATION OF FULL PAYMENT AMOUNT**
14 **FOR ELIGIBLE STATES AND COUNTIES.**

15 (a) CALCULATION REQUIRED.—

16 (1) ELIGIBLE STATES.—The Secretary of the
17 Treasury shall calculate for each eligible State an
18 amount equal to the average of the three highest 25-
19 percent payments and safety net payments made to
20 that eligible State for fiscal years of the eligibility
21 period.

22 (2) BLM COUNTIES.—The Secretary of the
23 Treasury shall calculate for each eligible county that
24 received a 50-percent payment during the eligibility
25 period an amount equal to the average of the three

1 highest 50-percent payments and safety net pay-
2 ments made to that eligible county for fiscal years
3 of the eligibility period.

4 (b) ANNUAL ADJUSTMENT.—For each fiscal year in
5 which payments are required to be made to eligible States
6 and eligible counties under this title, the Secretary of the
7 Treasury shall adjust the full payment amount in effect
8 for the previous fiscal year for each eligible State and eligi-
9 ble county to reflect changes in the consumer price index
10 for rural areas (as published in the Bureau of Labor Sta-
11 tistics) that occur after publication of that index for fiscal
12 year 1999.

13 **SEC. 102. PAYMENTS TO STATES FROM FOREST SERVICE**
14 **LANDS FOR USE BY COUNTIES TO BENEFIT**
15 **PUBLIC EDUCATION AND TRANSPORTATION.**

16 (a) REQUIREMENT FOR PAYMENTS TO ELIGIBLE
17 STATES.—The Secretary of the Treasury shall make to
18 each eligible State a payment in accordance with sub-
19 section (b) for each of fiscal years 2000 through 2006.
20 The payment for a fiscal year shall be made as soon as
21 practicable after the end of that fiscal year.

22 (b) PAYMENT AMOUNTS.—The payment to an eligible
23 State under subsection (a) for a fiscal year shall consist
24 of the following:

1 (1) The 25-percent payments and safety net
2 payments under section 13982 of the Omnibus
3 Budget Reconciliation Act of 1993 (Public Law
4 103–66; 16 U.S.C. 500 note) applicable to that
5 State for that fiscal year.

6 (2) If the amount under paragraph (1) is less
7 than the full payment amount in effect for that
8 State for that fiscal year, such additional funds as
9 may be appropriated to provide a total payment not
10 to exceed the full payment amount, but only to the
11 extent such additional funds are provided in advance
12 as discretionary appropriations included in appro-
13 priation Acts.

14 (c) DISTRIBUTION AND EXPENDITURE OF PAY-
15 MENTS.—

16 (1) DISTRIBUTION METHOD.—An eligible State
17 that receives a payment under subsection (a) shall
18 distribute the payment among all eligible counties in
19 the State, with each eligible county receiving the
20 same percentage of that payment as the percentage
21 of the State’s total 25-percent payments and safety
22 net payments under section 13982 of the Omnibus
23 Budget Reconciliation Act of 1993 (Public Law
24 103–66; 16 U.S.C. 500 note) that were distributed

1 to that county for fiscal years of the eligibility pe-
2 riod.

3 (2) EXPENDITURE PURPOSES.—Subject to sub-
4 section (d), payments received by eligible States
5 under subsection (a) and distributed to eligible coun-
6 ties shall be expended in the same manner in which
7 25-percent payments are required to be expended.

8 (d) EXPENDITURE RULES FOR ELIGIBLE COUN-
9 TIES.—

10 (1) GENERAL RULE.—In the case of an eligible
11 county to which \$100,000 or more is distributed in
12 a fiscal year pursuant to subsection (c)—

13 (A) 80 percent of the funds distributed to
14 the eligible county shall be expended in the
15 same manner in which the 25-percent payments
16 are required to be expended; and

17 (B) 20 percent of the funds distributed to
18 the eligible county shall be reserved and ex-
19 pended by the eligible county in accordance
20 with title II.

21 (2) COUNTIES WITH MINOR DISTRIBUTIONS.—

22 In the case of each eligible county to which less than
23 \$100,000 is distributed for fiscal year 2000 pursu-
24 ant to subsection (c), the eligible county shall make
25 an election whether or not to be subject to the re-

1 requirements of paragraph (1) for that fiscal year and
2 all subsequent fiscal years for which payments are
3 made under subsection (a). The county shall notify
4 the Secretary of Agriculture of its election under
5 this subsection not later than 60 days after the
6 county receives its distribution for fiscal year 2000.

7 **SEC. 103. PAYMENTS TO COUNTIES FROM BUREAU OF LAND**
8 **MANAGEMENT LANDS FOR USE TO BENEFIT**
9 **PUBLIC SAFETY, LAW ENFORCEMENT, EDU-**
10 **CATION, AND OTHER PUBLIC PURPOSES.**

11 (a) **REQUIREMENT FOR PAYMENTS TO ELIGIBLE**
12 **COUNTIES.**—The Secretary of the Treasury shall make to
13 each eligible county that received a 50-percent payment
14 during the eligibility period a payment in accordance with
15 subsection (b) for each of fiscal years 2000 through 2006.
16 The payment for a fiscal year shall be made as soon as
17 practicable after the end of that fiscal year.

18 (b) **PAYMENT AMOUNTS.**—The payment to an eligible
19 county under subsection (a) for a fiscal year shall consist
20 of the following:

21 (1) The 50-percent payments and safety net
22 payments under section 13983 of the Omnibus
23 Budget Reconciliation Act of 1993 (Public Law
24 103–66; 43 U.S.C. 1181f note) applicable to that
25 county for that fiscal year.

1 (2) If the amount under paragraph (1) is less
2 than the full payment amount in effect for that
3 county for that fiscal year, such additional funds as
4 may be appropriated to provide a total payment not
5 to exceed the full payment amount, but only to the
6 extent such additional funds are provided in advance
7 as discretionary appropriations included in appro-
8 priation Acts.

9 (c) EXPENDITURE OF PAYMENTS.—Subject to sub-
10 section (d), payments received by eligible counties under
11 subsection (a) shall be expended in the same manner in
12 which 50-percent payments are required to be expended.

13 (d) EXPENDITURE RULES FOR ELIGIBLE COUN-
14 TIES.—In the case of an eligible county to which a pay-
15 ment is made in a fiscal year pursuant to subsection (a)—

16 (1) 80 percent of the payment to the eligible
17 county shall be expended in the same manner in
18 which the 50-percent payments are required to be
19 expended; and

20 (2) 20 percent of the payment to the eligible
21 county shall be reserved and expended by the eligible
22 county in accordance with title II.

1 **TITLE II—LOCALLY INITIATED**
2 **PROJECTS ON FEDERAL LANDS**

3 **SEC. 201. DEFINITIONS.**

4 In this title:

5 (1) **PARTICIPATING COUNTY.**—The term “par-
6 ticipating county” means an eligible county that—

7 (A) receives Federal funds pursuant to sec-
8 tion 102 or 103; and

9 (B) is required to expend a portion of
10 those funds in the manner provided in section
11 102(d)(1)(B) or 103(d)(2) or elects under sec-
12 tion 102(d)(2) to expend a portion of those
13 funds in accordance with section 102(d)(1)(B).

14 (2) **PROJECT FUNDS.**—The term “project
15 funds” means all funds reserved by an eligible coun-
16 ty under section 102(d)(1)(B) or 103(d)(2) for ex-
17 penditure in accordance with this title and all funds
18 that an eligible county elects under section
19 102(d)(2) to reserve under section 102(d)(1)(B).

20 (3) **LOCAL ADVISORY COMMITTEE.**—The term
21 “local advisory committee” means an advisory com-
22 mittee established by the Secretary concerned under
23 section 205.

24 (4) **RESOURCE MANAGEMENT PLAN.**—The term
25 “resource management plan” means a land use plan

1 prepared by the Bureau of Land Management for
2 units of the Federal lands described in section
3 3(1)(B) pursuant to section 202 of the Federal
4 Land Policy and Management Act of 1976 (43
5 U.S.C. 1712) and land and resource management
6 plans prepared by the Forest Service for units of the
7 National Forest System pursuant to section 6 of the
8 Forest and Rangeland Renewable Resources Plan-
9 ning Act of 1974 (16 U.S.C. 1604).

10 (5) SECRETARY CONCERNED.—The term “Sec-
11 retary concerned” means the Secretary of the Inte-
12 rior with respect to the Federal lands described in
13 section 3(1)(B) and the Secretary of Agriculture
14 with respect to the Federal lands described in sec-
15 tion 3(1)(A).

16 (6) SPECIAL ACCOUNT.—The term “special ac-
17 count” means an account in the Treasury estab-
18 lished under section 208(c) for each region of the
19 Forest Service, and for the Bureau of Land Manage-
20 ment.

21 **SEC. 202. GENERAL LIMITATION ON USE OF PROJECT**
22 **FUNDS.**

23 Project funds shall be expended solely on projects
24 that meet the requirements of this title and are conducted
25 on the Federal lands.

1 **SEC. 203. SUBMISSION OF PROJECT PROPOSALS BY PAR-**
2 **TICIPATING COUNTIES.**

3 (a) SUBMISSION OF PROJECT PROPOSALS TO SEC-
4 RETARY CONCERNED.—

5 (1) PROJECTS FUNDED USING PROJECT
6 FUNDS.—Not later than September 30, 2001, and
7 each September 30 thereafter through 2009, each
8 participating county shall submit to the Secretary
9 concerned a description of any projects that the
10 county proposes the Secretary undertake using any
11 project funds reserved by the county during the
12 three-fiscal year period consisting of the fiscal year
13 in which the submission is made and the preceding
14 two fiscal years. A participating county does not
15 have to submit all of its project proposals for a year
16 at the same time.

17 (2) PROJECTS FUNDED USING SPECIAL AC-
18 COUNTS.—Until September 30, 2007, a partici-
19 pating county may also submit to the Secretary con-
20 cerned a description of any projects that the county
21 proposes the Secretary undertake using amounts in
22 a special account in lieu of or in addition to the
23 county's project funds.

24 (3) JOINT PROJECTS.—Participating counties
25 may pool their project funds and jointly propose a
26 project or group of projects to the Secretary con-

1 cerned under paragraph (1). Participating counties
2 may also jointly propose a project or group of
3 projects to the Secretary concerned under paragraph
4 (2).

5 (b) REQUIRED DESCRIPTION OF PROJECTS.—In sub-
6 mitting proposed projects to the Secretary concerned
7 under subsection (a), a participating county shall include
8 in the description of each proposed project the following
9 information:

10 (1) The purpose of the project.

11 (2) An estimation of the amount of any timber,
12 forage, and other commodities anticipated to be har-
13 vested or generated as part of the project.

14 (3) The anticipated duration of the project.

15 (4) The anticipated cost of the project.

16 (5) The proposed source of funding for the
17 project, whether project funds, funds from the ap-
18 propriate special account, or both.

19 (6) The anticipated revenue, if any, to be gen-
20 erated by the project.

21 (c) ROLE OF LOCAL ADVISORY COMMITTEE.—A par-
22 ticipating county may propose a project to the Secretary
23 concerned under subsection (a) only if the project has been
24 reviewed and approved by the relevant local advisory com-
25 mittee in accordance with the requirements of section 205,

1 including the procedures issued under subsection (d) of
2 such section.

3 (d) AUTHORIZED PROJECTS.—

4 (1) IN GENERAL.—Projects proposed under
5 subsection (a) shall consist of any type of project or
6 activity that the Secretary concerned may otherwise
7 carry out on the Federal lands.

8 (2) SEARCH, RESCUE, AND EMERGENCY SERV-
9 ICES.—Notwithstanding paragraph (1), a partici-
10 pating county may submit as a proposed project
11 under subsection (a) a proposal that the county re-
12 ceive reimbursement for search and rescue and other
13 emergency services performed on Federal lands and
14 paid for by the county. The source of funding for an
15 approved project of this type may only be the special
16 account for the region in which the county is located
17 or, in the case of a county that receives 50-percent
18 payments, the special account for the Bureau of
19 Land Management.

20 (3) COMMUNITY SERVICE WORK CAMPS.—Not-
21 withstanding paragraph (1), a participating county
22 may submit as a proposed project under subsection
23 (a) a proposal that the county receive reimburse-
24 ment for all or part of the costs incurred by the
25 county to pay the salaries and benefits of county em-

1 ployees who supervise adults or juveniles performing
2 mandatory community service on Federal lands.

3 **SEC. 204. EVALUATION AND APPROVAL OF PROJECTS BY**
4 **SECRETARY CONCERNED.**

5 (a) CONDITIONS FOR APPROVAL OF PROPOSED
6 PROJECT.—The Secretary concerned may make a decision
7 to approve a project submitted by a participating county
8 under section 203 only if the proposed project satisfies
9 each of the following conditions:

10 (1) The project complies with all Federal laws
11 and all Federal rules, regulations, and policies.

12 (2) The project is consistent with the applicable
13 resource management plan and with any watershed
14 or subsequent plan developed pursuant to the re-
15 source management plan and approved by the Sec-
16 retary concerned.

17 (3) The project has been approved by the rel-
18 evant local advisory committee in accordance with
19 section 205, including the procedures issued under
20 subsection (d) of such section.

21 (4) The project has been described by the par-
22 ticipating county in accordance with section 203(b).

23 (b) ENVIRONMENTAL REVIEWS.—

24 (1) REVIEW REQUIRED.—Before making a deci-
25 sion to approve a proposed project under subsection

1 (a), the Secretary concerned shall complete any envi-
2 ronmental review required by the National Environ-
3 mental Policy Act of 1969 (42 U.S.C. 321 et seq.)
4 in connection with the project and any consultation
5 and biological assessment required by the Endan-
6 gered Species Act of 1973 (16 U.S.C. 1531 et seq.)
7 in connection with the project.

8 (2) TREATMENT OF REVIEW.—Decisions of the
9 Secretary concerned related to an environmental re-
10 view or consultation conducted under paragraph (1)
11 shall not be subject to administrative appeal or judi-
12 cial review unless and until the Secretary approves
13 the project under subsection (a) for which the review
14 or consultation was conducted.

15 (3) PAYMENT OF REVIEW COSTS.—

16 (A) REQUEST FOR PAYMENT BY COUN-
17 TY.—The Secretary concerned may request the
18 participating county or counties submitting a
19 proposed project to use project funds to pay for
20 any environmental review or consultation re-
21 quired under paragraph (1) in connection with
22 the project. When such a payment is requested,
23 the Secretary concerned shall not begin the en-
24 vironmental review or consultation until and
25 unless the payment is received.

1 (B) EFFECT OF REFUSAL TO PAY.—If a
2 participating county refuses to make the re-
3 quested payment under subparagraph (A) in
4 connection with a proposed project, the partici-
5 pating county shall withdraw the submission of
6 the project from further consideration by the
7 Secretary concerned. Such a withdrawal shall
8 be deemed to be a rejection of the project for
9 purposes of section 207(d).

10 (c) TIME PERIODS FOR CONSIDERATION OF
11 PROJECTS.—

12 (1) PROJECTS REQUIRING ENVIRONMENTAL RE-
13 VIEW.—If the Secretary concerned determines that
14 an environmental review or consultation is required
15 for a proposed project pursuant to subsection (b),
16 the Secretary concerned shall make a decision under
17 subsection (a) to approve or reject the project, to the
18 extent practicable, within 30 days after the comple-
19 tion of the last of the required environmental reviews
20 and consultations.

21 (2) OTHER PROJECTS.—If the Secretary con-
22 cerned determines that an environmental review or
23 consultation is not required for a proposed project,
24 the Secretary shall make a decision under subsection
25 (a) to approve or reject the project, to the extent

1 practicable, within 60 days after the date of that de-
2 termination.

3 (d) DECISIONS OF SECRETARY CONCERNED.—

4 (1) REJECTION OF PROJECTS.—A decision by
5 the Secretary concerned to reject a proposed project
6 shall be at the Secretary's sole discretion. Within 30
7 days after making the rejection decision, the Sec-
8 retary concerned shall notify in writing the partici-
9 pating county that submitted the proposed project of
10 the rejection and the reasons therefor.

11 (2) NOTICE OF PROJECT APPROVAL.—The Sec-
12 retary concerned shall publish in the Federal Reg-
13 ister notice of each project approved under sub-
14 section (a) if such notice would be required had the
15 project originated with the Secretary.

16 (3) PROJECT APPROVAL AS FINAL AGENCY AC-
17 TION.—A decision by the Secretary concerned to ap-
18 prove a project under subsection (a) shall be consid-
19 ered a final agency action under the Administrative
20 Procedures Act.

21 (e) SOURCE AND CONDUCT OF PROJECT.—For pur-
22 poses of Federal law, a project approved by the Secretary
23 concerned under this section shall be considered to have
24 originated with the Secretary.

25 (f) IMPLEMENTATION OF APPROVED PROJECTS.—

1 (1) RESPONSIBILITY OF SECRETARY.—The Sec-
2 retary concerned shall be responsible for carrying
3 out projects approved by the Secretary under this
4 section. The Secretary concerned shall carry out the
5 projects in compliance with all Federal laws (includ-
6 ing the Act of March 3, 1931, commonly known as
7 the Davis-Bacon Act) and all Federal rules, regula-
8 tions, and policies and in the same manner as
9 projects of the same kind that originate with the
10 Secretary.

11 (2) COOPERATION.—The Secretary concerned
12 may enter into contracts and cooperative agreements
13 with States and local governments, private and non-
14 profit entities, and landowners and other persons to
15 assist the Secretary in carrying out an approved
16 project.

17 (3) BEST VALUE STEWARDSHIP CON-
18 TRACTING.—Subject to paragraph (1), to enter into
19 a contract authorized by paragraph (2), the Sec-
20 retary concerned may use a contracting method that
21 secures, for the best price, the best quality service,
22 as determined by the Secretary based upon the fol-
23 lowing:

24 (A) The technical demands and complexity
25 of the work to be done.

1 (B) The ecological sensitivity of the re-
2 sources being treated.

3 (C) The past experience by the contractor
4 with the type of work being done, using the
5 type of equipment proposed for the project, and
6 meeting or exceeding desired ecological condi-
7 tions.

8 (D) The use by the contractor of low value
9 species and byproducts.

10 (E) The commitment of the contractor to
11 hiring highly qualified workers and local resi-
12 dents.

13 (g) TIME FOR COMMENCEMENT.—

14 (1) PROJECTS FUNDED USING PROJECT
15 FUNDS.—If an approved project is to be funded in
16 whole or in part using project funds to be provided
17 by a participating county or counties, the Secretary
18 concerned shall commence the project as soon as
19 practicable after the receipt of the project funds pur-
20 suant to section 206 from the county.

21 (2) PROJECTS FUNDED USING SPECIAL AC-
22 COUNTS.—If an approved project is to be funded
23 using amounts from a special account in lieu of any
24 project funds, the Secretary concerned shall com-

1 mence the project as soon as practicable after the
2 approval decision is made.

3 **SEC. 205. LOCAL ADVISORY COMMITTEES.**

4 (a) ESTABLISHMENT AND PURPOSE OF LOCAL ADVI-
5 SORY COMMITTEES.—

6 (1) ESTABLISHMENT.—Except as provided in
7 paragraph (2), the Secretary concerned shall estab-
8 lish and maintain, for each unit of Federal lands, a
9 local advisory committee to review projects proposed
10 by participating counties and to recommend projects
11 to participating counties.

12 (2) COMBINATION OR DIVISION OF UNITS.—The
13 Secretary concerned may, at the Secretary's sole dis-
14 cretion, combine or divide units of Federal lands for
15 the purpose of establishing local advisory commit-
16 tees.

17 (b) APPOINTMENT BY THE SECRETARY.—

18 (1) APPOINTMENT AND TERM.—The Secretary
19 concerned shall appoint the members of local advi-
20 sory committees for a term of 2 years beginning on
21 the date of appointment. The Secretary concerned
22 may reappoint members to subsequent 2-year terms.

23 (2) BASIC REQUIREMENTS.—The Secretary
24 concerned shall ensure that each local advisory com-

1 mittee established by the Secretary meets the re-
2 quirements of subsection (c).

3 (3) INITIAL APPOINTMENT.—The Secretary
4 concerned shall make initial appointments to the
5 local advisory committees not later than 120 days
6 after the date of the enactment of this Act.

7 (4) VACANCIES.—The Secretary concerned shall
8 make appointments to fill vacancies on any local ad-
9 visory committee as soon as practicable after the va-
10 cancy has occurred.

11 (5) COMPENSATION.—Members of the local ad-
12 visory committees shall not receive any compensa-
13 tion.

14 (c) COMPOSITION OF ADVISORY COMMITTEE.—

15 (1) NUMBER.—Each local advisory committee
16 shall be comprised of 15 members.

17 (2) COMMUNITY INTERESTS REPRESENTED.—
18 Each local advisory committee shall have at least
19 one member representing each of the following:

20 (A) Local resource users.

21 (B) Environmental interests.

22 (C) Forest workers.

23 (D) Organized labor representatives.

24 (E) Elected county officials.

25 (F) School officials or teachers.

1 (3) GEOGRAPHIC DISTRIBUTION.—To the ex-
2 tent practicable, the members of a local advisory
3 committee shall be drawn from throughout the area
4 covered by the committee.

5 (4) CHAIRPERSON.—A majority on each local
6 advisory committee shall select the chairperson of
7 the committee.

8 (d) APPROVAL PROCEDURES.—

9 (1) ISSUANCE.—Not later than 90 days after
10 the date of the enactment of this Act, the Secre-
11 taries concerned shall jointly issue the approval pro-
12 cedures that each local advisory committee must use
13 in order to ensure that a local advisory committee
14 only approves projects that are broadly supported by
15 the committee. The Secretaries shall publish the pro-
16 cedures in the Federal Register.

17 (2) TREATMENT OF PROCEDURES.—The
18 issuance and content of the procedures issued under
19 paragraph (1) shall not be subject to administrative
20 appeal or judicial review. Nothing in this paragraph
21 shall affect the responsibility of local advisory com-
22 mittees to comply with the procedures.

23 (e) OTHER COMMITTEE AUTHORITIES AND RE-
24 QUIREMENTS.—

1 (1) STAFF ASSISTANCE.—A local advisory com-
2 mittee may submit to the Secretary concerned a re-
3 quest for staff assistance from Federal employees
4 under the jurisdiction of the Secretary.

5 (2) MEETINGS.—All meetings of a local advi-
6 sory committee shall be announced at least one week
7 in advance in a local newspaper of record and shall
8 be open to the public.

9 (3) RECORDS.—A local advisory committee
10 shall maintain records of the meetings of the com-
11 mittee and make the records available for public in-
12 spection.

13 (f) FEDERAL ADVISORY COMMITTEE ACT EXEMP-
14 TION.—The local advisory committees shall be exempt
15 from the provisions of the Federal Advisory Committee
16 Act (5 U.S.C. App.).

17 **SEC. 206. USE OF PROJECT FUNDS.**

18 (a) AGREEMENT REGARDING SCHEDULE AND COST
19 OF PROJECT.—

20 (1) AGREEMENT BETWEEN PARTIES.—As soon
21 as practicable after the approval of a project by the
22 Secretary concerned under section 204, the Sec-
23 retary concerned and the chief administrative official
24 of the participating county (or one such official rep-
25 resenting a group of participating counties) shall

1 enter into an agreement addressing, at a minimum,
2 the following with respect to the project:

3 (A) The schedule for completing the
4 project.

5 (B) The total cost of the project, including
6 the level of agency overhead to be assessed
7 against the project.

8 (C) For a multi-year project, the estimated
9 cost of the project for each of the fiscal years
10 in which it will be carried out.

11 (D) The remedies for the participating
12 county or counties for the failure of the Sec-
13 retary concerned to comply with the terms of
14 the agreement.

15 (2) LIMITED USE OF FEDERAL FUNDS.—The
16 Secretary concerned may decide, at the Secretary's
17 sole discretion, to cover the costs of a portion of an
18 approved project using Federal funds appropriated
19 or otherwise available to the Secretary for the same
20 purposes as the project.

21 (b) TRANSFER OF PROJECT FUNDS.—

22 (1) INITIAL TRANSFER REQUIRED.—As soon as
23 practicable after the agreement is reached under
24 subsection (a) with regard to a project to be funded
25 in whole or in part using project funds, the partici-

1 participating county or counties that are parties to the
2 agreement shall transfer to the Secretary concerned
3 an amount of project funds equal to—

4 (A) in the case of a project to be completed
5 in a single fiscal year, the total amount speci-
6 fied in the agreement to be paid by the county
7 or counties; or

8 (B) in the case of a multi-year project, the
9 amount specified in the agreement to be paid by
10 the county or counties for the first fiscal year.

11 (2) **CONDITION ON PROJECT COMMENCE-**
12 **MENT.**—The Secretary concerned shall not com-
13 mence a project pursuant to section 204(g)(1) until
14 the project funds required to be transferred under
15 paragraph (1) for the project have been received by
16 the Secretary.

17 (3) **SUBSEQUENT TRANSFERS FOR MULTI-YEAR**
18 **PROJECTS.**—For the second and subsequent fiscal
19 years of a multi-year project to be funded in whole
20 or in part using project funds, the participating
21 county or counties shall transfer to the Secretary
22 concerned the amount of project funds required to
23 continue the project in that fiscal year according to
24 the agreement entered into under subsection (a).
25 The Secretary concerned shall suspend work on the

1 project if the county fails to transfer the required
2 amounts as required by the agreement.

3 (4) SPECIAL RULE FOR WORK CAMP
4 PROJECTS.—In the case of a project described in
5 section 203(d)(3) and approved under section 204,
6 the agreement required by subsection (a) shall speci-
7 fy the manner in which a participating county that
8 is a party to the agreement may retain project funds
9 to cover the costs of the project.

10 (c) AVAILABILITY OF TRANSFERRED FUNDS.—
11 Project funds transferred to the Secretary concerned
12 under this section shall remain available until the project
13 is completed.

14 **SEC. 207. DURATION OF AVAILABILITY OF A COUNTY'S**
15 **PROJECT FUNDS.**

16 (a) SUBMISSION OF PROPOSED PROJECTS TO OBLI-
17 GATE FUNDS.—By the end of each of the fiscal years
18 2003 through 2009, a participating county shall submit
19 to the Secretary concerned pursuant to section 203(a)(1)
20 a sufficient number of project proposals that, if approved,
21 would result in the obligation of at least the full amount
22 of the project funds the county received under title I in
23 the second preceding fiscal year.

24 (b) TRANSFER OF UNOBLIGATED FUNDS.—If a par-
25 ticipating county fails to comply with subsection (a) for

1 a fiscal year, any project funds that the county received
2 in the second preceding fiscal year and remaining unobli-
3 gated shall be returned to the Secretary of the Treasury
4 for disposition as provided in subsection (c).

5 (c) DISPOSITION OF RETURNED FUNDS.—

6 (1) DEPOSIT IN SPECIAL ACCOUNTS.—In the
7 case of project funds returned under subsection (b)
8 in fiscal year 2004, 2005, or 2006, the Secretary of
9 the Treasury shall deposit the funds in the appro-
10 priate special account.

11 (2) DEPOSIT IN GENERAL FUND.—After fiscal
12 year 2006, the Secretary of the Treasury shall de-
13 posit returned project funds in the general fund of
14 the Treasury.

15 (d) EFFECT OF REJECTION OF PROJECTS.—Not-
16 withstanding subsection (b), any project funds of a partici-
17 pating county that are unobligated at the end of a fiscal
18 year because the Secretary concerned has rejected one or
19 more proposed projects shall be available for the county
20 to expend in the same manner as the funds reserved by
21 the county under section 102(d)(1)(A) or 103(d)(1),
22 whichever applies to the funds involved. The project funds
23 covered by this subsection shall remain available until ex-
24 pended.

25 (e) EFFECT OF COURT ORDERS.—

1 (1) PROJECTS FUNDED USING PROJECT
2 FUNDS.—If an approved project is enjoined or pro-
3 hibited by a Federal court after funds for the project
4 are transferred to the Secretary concerned under
5 section 206, the Secretary concerned shall return
6 any unobligated project funds related to that project
7 to the participating county or counties that trans-
8 ferred the funds. The returned funds shall be avail-
9 able for the county to expend in the same manner
10 as the funds reserved by the county under section
11 102(d)(1)(A) or 103(d)(1), whichever applies to the
12 funds involved. The funds shall remain available
13 until expended and shall be exempt from the require-
14 ments of subsection (b).

15 (2) PROJECTS FUNDED USING SPECIAL AC-
16 COUNTS.—If an approved project is enjoined or pro-
17 hibited by a Federal court after funds from a special
18 account have been reserved for the project under
19 section 208, the Secretary concerned shall treat the
20 funds in the same manner as revenues described in
21 section 208(a).

22 **SEC. 208. TREATMENT OF FUNDS GENERATED BY LOCALLY**
23 **INITIATED PROJECTS.**

24 (a) PAYMENT TO SECRETARY.—Any and all revenues
25 generated from a project carried out in whole or in part

1 using project funds or funds from a special account shall
2 be paid to the Secretary concerned.

3 (b) DEPOSIT.—Notwithstanding any other provision
4 of law, the Secretary concerned shall deposit the revenues
5 described in subsection (a) as follows:

6 (1) Through fiscal year 2006, the revenues
7 shall be deposited in the appropriate special account
8 as provided in subsection (c).

9 (2) After fiscal year 2006, the revenues shall be
10 deposited in the general fund of the Treasury.

11 (c) REGIONAL AND BLM SPECIAL ACCOUNTS.—

12 (1) ESTABLISHMENT.—There is established in
13 the Treasury an account for each region of the For-
14 est Service and an account for the Bureau of Land
15 Management. The accounts shall consist of the fol-
16 lowing:

17 (A) Revenues described in subsection (a)
18 and deposited pursuant to subsection (b)(1).

19 (B) Project funds deposited pursuant to
20 section 207(c)(1).

21 (C) Interest earned on amounts in the spe-
22 cial accounts.

23 (2) REQUIRED DEPOSIT IN FOREST SERVICE
24 ACCOUNTS.—If the revenue-generating project was
25 carried out in whole or in part using project funds

1 that were reserved pursuant to section 102(d)(1)(B),
2 the revenues shall be deposited in the account estab-
3 lished under paragraph (1) for the Forest Service
4 region in which the project was conducted.

5 (3) REQUIRED DEPOSIT IN BLM ACCOUNT.—If
6 the revenue-generating project was carried out in
7 whole or in part using project funds that were re-
8 served pursuant to section 103(d)(2), the revenues
9 shall be deposited in the account established under
10 paragraph (1) for the Bureau of Land Management.

11 (4) PROJECTS CONDUCTED USING SPECIAL AC-
12 COUNT FUNDS.—If the revenue-generating project
13 was carried out using amounts from a special ac-
14 count in lieu of any project funds, the revenues shall
15 be deposited in the special account from which the
16 amounts were derived.

17 (d) USE OF ACCOUNTS TO CONDUCT PROJECTS.—

18 (1) AUTHORITY TO USE ACCOUNTS.—The Sec-
19 retary concerned may use amounts in the special ac-
20 counts, without appropriation, to fund projects sub-
21 mitted by participating counties under section
22 203(a)(2) that have been approved by the Secretary
23 concerned under section 204.

24 (2) SOURCE OF FUNDS; PROJECT LOCATIONS.—
25 Funds in a special account established under sub-

1 section (c)(1) for a region of the Forest Service re-
2 gion may be expended only for projects approved
3 under section 204 to be conducted in that region.
4 Funds in the special account established under sub-
5 section (c)(1) for the Bureau of Land Management
6 may be expended only for projects approved under
7 section 204 to be conducted on Federal lands de-
8 scribed in section 3(1)(B).

9 (3) DURATION OF AUTHORITY.—No funds may
10 be obligated under this subsection after September
11 30, 2007. Unobligated amounts in the special ac-
12 counts after that date shall be promptly transferred
13 to the general fund of the Treasury.

14 **TITLE III—FOREST COUNTIES**

15 **PAYMENTS COMMITTEE**

16 **SEC. 301. DEFINITIONS.**

17 In this title:

18 (1) ADVISORY COMMITTEE.—The term “Advi-
19 sory Committee” means the Forest Counties Pay-
20 ments Committee established by section 302.

21 (2) HOUSE COMMITTEES OF JURISDICTION.—
22 The term “House committees of jurisdiction” means
23 the Committee on Agriculture, the Committee on
24 Resources, and the Committee on Appropriations of
25 the House of Representatives.

1 (3) SENATE COMMITTEES OF JURISDICTION.—
2 The term “Senate committees of jurisdiction” means
3 the Committee on Agriculture, Nutrition, and For-
4 estry, the Committee on Energy and Natural Re-
5 sources, and the Committee on Appropriations of the
6 Senate.

7 (4) SUSTAINABLE FORESTRY.—The term “sus-
8 tainable forestry” means principles of sustainable
9 forest management that equally consider ecological,
10 economic, and social factors in the management of
11 Federal lands.

12 **SEC. 302. NATIONAL ADVISORY COMMITTEE TO DEVELOP**
13 **LONG-TERM METHODS TO MEET STATUTORY**
14 **OBLIGATION OF FEDERAL LANDS TO CON-**
15 **TRIBUTE TO PUBLIC EDUCATION AND OTHER**
16 **PUBLIC SERVICES.**

17 (a) ESTABLISHMENT OF FOREST COUNTIES PAY-
18 MENTS COMMITTEE.—There is hereby established an advi-
19 sory committee, to be known as the Forest Counties Pay-
20 ments Committee, to develop recommendations, consistent
21 with sustainable forestry, regarding methods to ensure
22 that States and counties in which Federal lands are situ-
23 ated receive adequate Federal payments to be used for the
24 benefit of public education and other public purposes.

1 (b) MEMBERS.—The Advisory Committee shall be
2 composed of the following members:

3 (1) The Chief of the Forest Service, or a des-
4 ignee of the Chief who has significant expertise in
5 sustainable forestry.

6 (2) The Director of the Bureau of Land Man-
7 agement, or a designee of the Director who has sig-
8 nificant expertise in sustainable forestry

9 (3) The Director of the Office of Management
10 and Budget, or the Director’s designee.

11 (4) Two members who are elected members of
12 the governing branches of eligible counties; one such
13 member to be appointed by the President pro tem-
14 pore of the Senate (in consultation with the chair-
15 men and ranking members of the Senate committees
16 of jurisdiction) and one such member to be ap-
17 pointed by the Speaker of the House of Representa-
18 tives (in consultation with the chairmen and ranking
19 members of the House committees of jurisdiction)
20 within 60 days of the date of the enactment of this
21 Act.

22 (5) Two members who are elected members of
23 school boards for, superintendents from, or teachers
24 employed by, school districts in eligible counties; one
25 such member to be appointed by the President pro

1 tempore of the Senate (in consultation with the
2 chairmen and ranking members of the Senate com-
3 mittees of jurisdiction) and one such member to be
4 appointed by the Speaker of the House of Rep-
5 resentatives (in consultation with the chairmen and
6 ranking members of the House committees of juris-
7 diction) within 60 days of the date of the enactment
8 of this Act.

9 (c) GEOGRAPHIC REPRESENTATION.—In making ap-
10 pointments under paragraphs (4) and (5) of subsection
11 (b), the President pro tempore of the Senate and the
12 Speaker of the House of Representatives shall seek to en-
13 sure that the Advisory Committee members are selected
14 from geographically diverse locations.

15 (d) ORGANIZATION OF ADVISORY COMMITTEE.—

16 (1) CHAIRPERSON.—The Chairperson of the
17 Advisory Committee shall be selected from among
18 the members appointed pursuant to paragraphs (4)
19 and (5) of subsection (b).

20 (2) VACANCIES.—Any vacancy in the member-
21 ship of the Advisory Committee shall be filled in the
22 same manner as required by subsection (b). A va-
23 cancy shall not impair the authority of the remain-
24 ing members to perform the functions of the Advi-
25 sory Committee under section 303.

1 (3) COMPENSATION.—The members of the Ad-
2 visory Committee who are not officers or employees
3 of the United States, while attending meetings or
4 other events held by the Advisory Committee or at
5 which the members serve as representatives of the
6 Advisory Committee or while otherwise serving at
7 the request of the Chairperson, shall each be entitled
8 to receive compensation at a rate not in excess of
9 the maximum rate of pay for grade GS–18, as pro-
10 vided in the General Schedule under section 5532 of
11 title 5, United States Code, including traveltime,
12 and while away from their homes or regular places
13 of business shall each be reimbursed for travel ex-
14 penses, including per diem in lieu of subsistence as
15 authorized by section 5703 of title 5, United States
16 Code, for persons in Government service employed
17 intermittently.

18 (e) STAFF AND RULES.—

19 (1) EXECUTIVE DIRECTOR.—The Advisory
20 Committee shall have an Executive Director, who
21 shall be appointed (without regard to the provisions
22 of title 5, United States Code, governing appoint-
23 ments in the competitive service) by the Advisory
24 Committee and serve at the pleasure of the Advisory
25 Committee. The Executive Director shall report to

1 the Advisory Committee and assume such duties as
2 the Advisory Committee may assign. The Executive
3 Director shall be paid at a rate not in excess of pay
4 for grade GS-18, as provided in the General Sched-
5 ule under 5332 of title 5, United States Code.

6 (2) OTHER STAFF.—In addition to authority to
7 appoint personnel subject to the provisions of title 5,
8 United States Code, governing appointments to the
9 competitive service, and to pay such personnel in ac-
10 cordance with the provisions of chapter 51 and sub-
11 chapter III of chapter 53 of such title relating to
12 classification and General Schedule pay rates, the
13 Advisory Committee shall have authority to enter
14 into contracts with private or public organizations
15 which may furnish the Advisory Committee with
16 such administrative and technical personnel as may
17 be necessary to carry out the functions of the Advi-
18 sory Committee under section 303. To the extent
19 practicable, such administrative and technical per-
20 sonnel, and other necessary support services, shall
21 be provided for the Advisory Committee by the Chief
22 of the Forest Service and the Director of the Bureau
23 of Land Management.

24 (3) COMMITTEE RULES.—The Advisory Com-
25 mittee may establish such procedural and adminis-

1 trative rules as are necessary for the performance of
2 its functions under section 303.

3 (f) FEDERAL AGENCY COOPERATION.—The heads of
4 the departments, agencies, and instrumentalities of the ex-
5 ecutive branch of the Federal Government shall cooperate
6 with the Advisory Committee in the performance of its
7 functions under subsection (c) and shall furnish to the Ad-
8 visory Committee information which the Advisory Com-
9 mittee deems necessary to carry out such functions.

10 **SEC. 303. FUNCTIONS OF ADVISORY COMMITTEE.**

11 (a) DEVELOPMENT OF RECOMMENDATIONS.—

12 (1) IN GENERAL.—The Advisory Committee
13 shall develop recommendations for policy or legisla-
14 tive initiatives (or both) regarding alternatives for,
15 or substitutes to, the short-term payments required
16 by title I in order to provide a long-term method to
17 generate annual payments to eligible States and eli-
18 gible counties at or above the full payment amount.

19 (2) REPORTING REQUIREMENTS.—Not later
20 than 18 months after the date of the enactment of
21 this Act, the Advisory Committee shall submit to the
22 Senate committees of jurisdiction and the House
23 committees of jurisdiction a final report containing
24 the recommendations developed under this sub-
25 section. The Advisory Committee shall submit semi-

1 annual progress reports on its activities and expendi-
2 tures to the Senate committees of jurisdiction and
3 the House committees of jurisdiction until the final
4 report has been submitted.

5 (b) GUIDANCE FOR COMMITTEE.—In developing the
6 recommendations required by subsection (a), the Advisory
7 Committee shall—

8 (1) evaluate the method by which payments are
9 made to eligible States and eligible counties under
10 title I and the use of such payments;

11 (2) evaluate the effectiveness of the local advi-
12 sory committees established pursuant to section 205;
13 and

14 (3) consider the impact on eligible States and
15 eligible counties of revenues derived from the his-
16 toric multiple use of the Federal lands.

17 (c) MONITORING AND RELATED REPORTING ACTIVI-
18 TIES.—The Advisory Committee shall monitor the pay-
19 ments made to eligible States and eligible counties pursu-
20 ant to title I and submit to the Senate committees of juris-
21 diction and the House committees of jurisdiction an an-
22 nual report describing the amounts and sources of such
23 payments and containing such comments as the Advisory
24 Committee may have regarding such payments.

1 (d) TESTIMONY.—The Advisory Committee shall
2 make itself available for testimony or comments on the
3 reports required to be submitted by the Advisory Com-
4 mittee and on any legislation or regulations to implement
5 any recommendations made in such reports in any con-
6 gressional hearings or any rulemaking or other adminis-
7 trative decision process.

8 **SEC. 304. FEDERAL ADVISORY COMMITTEE ACT REQUIRE-**
9 **MENTS.**

10 Except as may be provided in this title, the provisions
11 of the Federal Advisory Committee Act (5 U.S.C. App.)
12 shall not apply to the Advisory Committee.

13 **SEC. 305. TERMINATION OF ADVISORY COMMITTEE.**

14 The Advisory Committee shall terminate 3 years after
15 the date of the enactment of this Act.

16 **SEC. 306. SENSE OF THE CONGRESS REGARDING ADVISORY**
17 **COMMITTEE RECOMMENDATIONS.**

18 It is the sense of the Congress that the payments to
19 eligible States and eligible counties required by title I
20 should be replaced by a long-term solution to generate
21 payments conforming to the guidance provided by section
22 303(b) and that any promulgation of regulations or enact-
23 ment of legislation to establish such method should be
24 completed within 2 years after the date of submission of
25 the final report required by section 303(a).

1 **TITLE IV—MISCELLANEOUS**
2 **PROVISIONS**

3 **SEC. 401. AUTHORIZATION OF APPROPRIATIONS.**

4 There are hereby authorized to be appropriated such
5 sums as are necessary to carry out this Act.

6 **SEC. 402. TREATMENT OF FUNDS AND REVENUES.**

7 Funds appropriated pursuant to the authorization of
8 appropriations in section 401, funds transferred to a Sec-
9 retary concerned under section 206, and revenues de-
10 scribed in section 208(a) shall be in addition to any other
11 annual appropriations for the Forest Service and the Bu-
12 reau of Land Management.

13 **SEC. 403. CONFORMING AMENDMENTS.**

14 Section 6903(a)(1) of title 31, United States Code,
15 is amended—

16 (1) by redesignating subparagraphs (D)
17 through (J) as subparagraphs (E) through (K), re-
18 spectively; and

19 (2) by inserting after subparagraph (C) the fol-
20 lowing new subparagraph:

1 “(D) the Secure Rural Schools and Com-
2 munity Self-Determination Act of 1999;”.

 Passed the House of Representatives November 3,
1999.

Attest:

Clerk.