§ 872.19 Are there any restrictions on how Indian tribes may use Tribal share funds?

Yes. You may only use Tribal share funds for:

(a) Coal reclamation under §874.12 of this chapter;
(b) Water supply restoration under §874.14 of this chapter;
(c) Noncoal reclamation under §875.12 of this chapter that is requested under section 409(c) of SMCRA;
(d) Deposit into an acid mine drainage abatement and treatment fund under part 876 of this chapter;
(e) Land acquisition under §879.11 of this chapter; and
(f) Maintenance of the AML inventory under section 403(c) of SMCRA.

§ 872.22 How does OSM distribute and award historic coal funds?

(a) To be eligible to receive historic coal funds, you must meet the following criteria:
   (1) You must have and maintain an approved reclamation plan under part 884 of this chapter;
   (2) You cannot be certified under section 411(a) of SMCRA; and
   (3) You must have unfunded Priority 1 and 2 coal problems remaining under sections 403(a)(1) and (2) of SMCRA.
(b) If you meet the eligibility requirements in paragraph (a) of this section, we distribute these moneys to you using a formula based on the amount of coal historically produced before August 3, 1977, in your State or from the Indian lands concerned.
(c) We annually distribute historic coal funds to you as shown in the following table:

<table>
<thead>
<tr>
<th>For the Federal fiscal year(s) beginning . . .</th>
<th>The amount of Tribal share funds we annually distribute to you will be . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) October 1, 2007 and October 1, 2008.</td>
<td>50 percent of your 50 percent share of reclamation fees collected on prior fiscal year coal production.</td>
</tr>
<tr>
<td>(ii) October 1, 2009 and October 1, 2010.</td>
<td>75 percent of your 50 percent share of reclamation fees collected on prior fiscal year coal production.</td>
</tr>
<tr>
<td>(iii) October 1, 2011 and continuing through September 30, 2022.</td>
<td>100 percent of your 50 percent share of reclamation fees collected on prior fiscal year coal production.</td>
</tr>
<tr>
<td>(iv) October 1, 2022 (fiscal year 2023).</td>
<td>The amount remaining in your Tribal share of the Fund.</td>
</tr>
</tbody>
</table>