

Public Law 103-397  
103d Congress

An Act

Oct. 22, 1994  
[S. 455]

To amend title 31, United States Code, to increase Federal payments to units of general local government for entitlement lands, and for other purposes.

Payments In  
Lieu of Taxes  
Act.  
31 USC 6901  
note.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "Payments In Lieu of Taxes Act".

SEC. 2. INCREASE IN PAYMENTS FOR ENTITLEMENT LANDS.

(a) INCREASE BASED ON CONSUMER PRICE INDEX.—Section 6903(b)(1) of title 31, United States Code, is amended—

(1) in subparagraph (A), by striking "75 cents for each acre of entitlement land" and inserting "93 cents during fiscal year 1995, \$1.11 during fiscal year 1996, \$1.29 during fiscal year 1997, \$1.47 during fiscal year 1998, and \$1.65 during fiscal year 1999 and thereafter, for each acre of entitlement land"; and

(2) in subparagraph (B), by striking "10 cents for each acre of entitlement land" and inserting "12 cents during fiscal year 1995, 15 cents during fiscal year 1996, 17 cents during fiscal year 1997, 20 cents during fiscal year 1998, and 22 cents during fiscal year 1999 and thereafter, for each acre of entitlement land".

(b) INCREASE IN POPULATION CAP.—Section 6903(c) of title 31, United States Code, is amended—

(1) in paragraph (1), by striking "\$50 times the population" and inserting "the highest dollar amount specified in paragraph (2)"; and

(2) in paragraph (2), by amending the table at the end to read as follows:

| "If population equals— |       | the limitation<br>is equal to the<br>population<br>times— |
|------------------------|-------|-----------------------------------------------------------|
| 5,000                  | ..... | \$110.00                                                  |
| 6,000                  | ..... | 103.00                                                    |
| 7,000                  | ..... | 97.00                                                     |
| 8,000                  | ..... | 90.00                                                     |
| 9,000                  | ..... | 84.00                                                     |
| 10,000                 | ..... | 77.00                                                     |
| 11,000                 | ..... | 75.00                                                     |
| 12,000                 | ..... | 73.00                                                     |
| 13,000                 | ..... | 70.00                                                     |
| 14,000                 | ..... | 68.00                                                     |
| 15,000                 | ..... | 66.00                                                     |

|        |         |
|--------|---------|
| 16,000 | 65.00   |
| 17,000 | 64.00   |
| 18,000 | 63.00   |
| 19,000 | 62.00   |
| 20,000 | 61.00   |
| 21,000 | 60.00   |
| 22,000 | 59.00   |
| 23,000 | 59.00   |
| 24,000 | 58.00   |
| 25,000 | 57.00   |
| 26,000 | 56.00   |
| 27,000 | 56.00   |
| 28,000 | 56.00   |
| 29,000 | 55.00   |
| 30,000 | 55.00   |
| 31,000 | 54.00   |
| 32,000 | 54.00   |
| 33,000 | 53.00   |
| 34,000 | 53.00   |
| 35,000 | 52.00   |
| 36,000 | 52.00   |
| 37,000 | 51.00   |
| 38,000 | 51.00   |
| 39,000 | 50.00   |
| 40,000 | 50.00   |
| 41,000 | 49.00   |
| 42,000 | 48.00   |
| 43,000 | 48.00   |
| 44,000 | 47.00   |
| 45,000 | 47.00   |
| 46,000 | 46.00   |
| 47,000 | 46.00   |
| 48,000 | 45.00   |
| 49,000 | 45.00   |
| 50,000 | 44.00." |

### SEC. 3. INDEXING OF PILT PAYMENTS FOR INFLATION; INSTALLMENT PAYMENTS.

Section 6903 of title 31, United States Code, is amended by adding at the end the following new subsection:

"(d) On October 1 of each year after the date of enactment of the Payment in Lieu of Taxes Act, the Secretary of the Interior shall adjust each dollar amount specified in subsections (b) and (c) to reflect changes in the Consumer Price Index published by the Bureau of Labor Statistics of the Department of Labor, for the 12 months ending the preceding June 30."

### SEC. 4. LAND EXCHANGES.

Section 6902 of title 31, United States Code, is amended to read as follows:

#### "§ 6902. Authority and Eligibility

"(a) The Secretary of the Interior shall make a payment for each fiscal year to each unit of general local government in which entitlement land is located, as set forth in this chapter. A unit of general local government may use the payment for any governmental purpose.

"(b) A unit of general local government may not receive a payment for land for which payment under this Act otherwise may be received if the land was owned or administered by a State or unit of general local government and was exempt from real estate taxes when the land was conveyed to the United States except that a unit of general local government may receive a payment for—

- “(1) land a State or unit of general local government acquires from a private party to donate to the United States within 8 years of acquisition;
- “(2) land acquired by a State through an exchange with the United States if such land was entitlement land as defined by this chapter; or
- “(3) land in Utah acquired by the United States for Federal land, royalties, or other assets if, at the time of such acquisition, a unit of general local government was entitled under applicable State law to receive payments in lieu of taxes from the State of Utah for such land: *Provided, however,* That no payment under this paragraph shall exceed the payment that would have been made under State law if such land had not been acquired.”.

SEC. 5. EFFECTIVE DATE; TRANSITION PROVISIONS.

31 USC 6902  
note.

- (a) EFFECTIVE DATES.—
  - (1) IN GENERAL.—Except as provided in paragraph (2), this Act and the amendments made by this Act shall become effective on October 1, 1994.
  - (2) LIMITATION.—The amendment made by section 2(b)(2) shall become effective on October 1, 1998.
- (b) TRANSITION PROVISIONS.—
  - (1) FISCAL YEAR 1995.—During fiscal year 1995, the table at the end of section 6903(c)(2) of title 31, United States Code, is amended to read as follows:

| “If population equals— |       | the limitation<br>is equal to the<br>population<br>times— |
|------------------------|-------|-----------------------------------------------------------|
| 5,000                  | ..... | \$62.00                                                   |
| 6,000                  | ..... | 58.00                                                     |
| 7,000                  | ..... | 54.50                                                     |
| 8,000                  | ..... | 51.00                                                     |
| 9,000                  | ..... | 47.00                                                     |
| 10,000                 | ..... | 43.50                                                     |
| 11,000                 | ..... | 42.00                                                     |
| 12,000                 | ..... | 41.00                                                     |
| 13,000                 | ..... | 40.00                                                     |
| 14,000                 | ..... | 38.50                                                     |
| 15,000                 | ..... | 37.00                                                     |
| 16,000                 | ..... | 36.50                                                     |
| 17,000                 | ..... | 36.00                                                     |
| 18,000                 | ..... | 35.50                                                     |
| 19,000                 | ..... | 34.50                                                     |
| 20,000                 | ..... | 34.00                                                     |
| 21,000                 | ..... | 33.75                                                     |
| 22,000                 | ..... | 33.50                                                     |
| 23,000                 | ..... | 33.00                                                     |
| 24,000                 | ..... | 32.50                                                     |
| 25,000                 | ..... | 32.25                                                     |
| 26,000                 | ..... | 32.00                                                     |
| 27,000                 | ..... | 31.75                                                     |
| 28,000                 | ..... | 31.50                                                     |
| 29,000                 | ..... | 31.25                                                     |
| 30,000                 | ..... | 31.00                                                     |
| 31,000                 | ..... | 30.75                                                     |
| 32,000                 | ..... | 30.50                                                     |
| 33,000                 | ..... | 30.00                                                     |
| 34,000                 | ..... | 29.75                                                     |
| 35,000                 | ..... | 29.50                                                     |
| 36,000                 | ..... | 29.25                                                     |
| 37,000                 | ..... | 28.75                                                     |
| 38,000                 | ..... | 28.50                                                     |
| 39,000                 | ..... | 28.25                                                     |

|        |         |
|--------|---------|
| 40,000 | 28.00   |
| 41,000 | 27.50   |
| 42,000 | 27.25   |
| 43,000 | 27.00   |
| 44,000 | 26.50   |
| 45,000 | 26.25   |
| 46,000 | 26.00   |
| 47,000 | 25.75   |
| 48,000 | 25.50   |
| 49,000 | 25.00   |
| 50,000 | 24.75." |

(2) FISCAL YEAR 1996.—During fiscal year 1996, the table at the end of section 6903(c)(2) of title 31, United States Code, is amended to read as follows:

| "If population equals— |  | the limitation<br>is equal to the<br>population<br>times— |
|------------------------|--|-----------------------------------------------------------|
| 5,000                  |  | \$74.00                                                   |
| 6,000                  |  | 69.50                                                     |
| 7,000                  |  | 65.00                                                     |
| 8,000                  |  | 61.00                                                     |
| 9,000                  |  | 56.00                                                     |
| 10,000                 |  | 52.00                                                     |
| 11,000                 |  | 50.50                                                     |
| 12,000                 |  | 49.00                                                     |
| 13,000                 |  | 47.50                                                     |
| 14,000                 |  | 46.00                                                     |
| 15,000                 |  | 44.50                                                     |
| 16,000                 |  | 43.50                                                     |
| 17,000                 |  | 43.00                                                     |
| 18,000                 |  | 42.00                                                     |
| 19,000                 |  | 41.50                                                     |
| 20,000                 |  | 41.00                                                     |
| 21,000                 |  | 40.25                                                     |
| 22,000                 |  | 40.00                                                     |
| 23,000                 |  | 39.50                                                     |
| 24,000                 |  | 39.00                                                     |
| 25,000                 |  | 38.50                                                     |
| 26,000                 |  | 38.25                                                     |
| 27,000                 |  | 38.00                                                     |
| 28,000                 |  | 37.50                                                     |
| 29,000                 |  | 37.25                                                     |
| 30,000                 |  | 37.00                                                     |
| 31,000                 |  | 36.75                                                     |
| 32,000                 |  | 36.25                                                     |
| 33,000                 |  | 36.00                                                     |
| 34,000                 |  | 35.50                                                     |
| 35,000                 |  | 35.00                                                     |
| 36,000                 |  | 34.75                                                     |
| 37,000                 |  | 34.50                                                     |
| 38,000                 |  | 34.00                                                     |
| 39,000                 |  | 33.75                                                     |
| 40,000                 |  | 33.25                                                     |
| 41,000                 |  | 33.00                                                     |
| 42,000                 |  | 32.50                                                     |
| 43,000                 |  | 32.25                                                     |
| 44,000                 |  | 32.00                                                     |
| 45,000                 |  | 31.50                                                     |
| 46,000                 |  | 31.00                                                     |
| 47,000                 |  | 30.75                                                     |
| 48,000                 |  | 30.50                                                     |
| 49,000                 |  | 30.00                                                     |
| 50,000                 |  | 29.50."                                                   |

(3) FISCAL YEAR 1997.—During fiscal year 1997, the table at the end of section 6903(c)(2) of title 31, United States Code, is amended to read as follows:

|                        |       | the limitation<br>is equal to the<br>population<br>times— |
|------------------------|-------|-----------------------------------------------------------|
| "If population equals— |       |                                                           |
| 5,000                  | ..... | \$86.00                                                   |
| 6,000                  | ..... | 81.00                                                     |
| 7,000                  | ..... | 76.00                                                     |
| 8,000                  | ..... | 71.00                                                     |
| 9,000                  | ..... | 65.50                                                     |
| 10,000                 | ..... | 60.00                                                     |
| 11,000                 | ..... | 58.50                                                     |
| 12,000                 | ..... | 57.00                                                     |
| 13,000                 | ..... | 55.00                                                     |
| 14,000                 | ..... | 53.50                                                     |
| 15,000                 | ..... | 51.50                                                     |
| 16,000                 | ..... | 51.00                                                     |
| 17,000                 | ..... | 50.00                                                     |
| 18,000                 | ..... | 49.00                                                     |
| 19,000                 | ..... | 48.00                                                     |
| 20,000                 | ..... | 47.50                                                     |
| 21,000                 | ..... | 47.25                                                     |
| 22,000                 | ..... | 46.25                                                     |
| 23,000                 | ..... | 46.00                                                     |
| 24,000                 | ..... | 45.25                                                     |
| 25,000                 | ..... | 45.00                                                     |
| 26,000                 | ..... | 44.50                                                     |
| 27,000                 | ..... | 44.00                                                     |
| 28,000                 | ..... | 43.75                                                     |
| 29,000                 | ..... | 43.50                                                     |
| 30,000                 | ..... | 43.00                                                     |
| 31,000                 | ..... | 42.50                                                     |
| 32,000                 | ..... | 42.00                                                     |
| 33,000                 | ..... | 41.75                                                     |
| 34,000                 | ..... | 41.25                                                     |
| 35,000                 | ..... | 41.00                                                     |
| 36,000                 | ..... | 40.50                                                     |
| 37,000                 | ..... | 40.00                                                     |
| 38,000                 | ..... | 39.50                                                     |
| 39,000                 | ..... | 39.00                                                     |
| 40,000                 | ..... | 38.75                                                     |
| 41,000                 | ..... | 38.25                                                     |
| 42,000                 | ..... | 38.00                                                     |
| 43,000                 | ..... | 37.50                                                     |
| 44,000                 | ..... | 37.00                                                     |
| 45,000                 | ..... | 36.50                                                     |
| 46,000                 | ..... | 36.00                                                     |
| 47,000                 | ..... | 35.75                                                     |
| 48,000                 | ..... | 35.25                                                     |
| 49,000                 | ..... | 35.00                                                     |
| 50,000                 | ..... | 34.50."                                                   |

(4) FISCAL YEAR 1998.—During fiscal year 1998, the table at the end of section 6903(c)(2) of title 31, United States Code, is amended to read as follows:

|                        |       | the limitation<br>is equal to the<br>population<br>times— |
|------------------------|-------|-----------------------------------------------------------|
| "If population equals— |       |                                                           |
| 5,000                  | ..... | \$98.00                                                   |
| 6,000                  | ..... | 92.00                                                     |
| 7,000                  | ..... | 86.00                                                     |
| 8,000                  | ..... | 80.50                                                     |
| 9,000                  | ..... | 74.50                                                     |
| 10,000                 | ..... | 68.50                                                     |
| 11,000                 | ..... | 66.50                                                     |
| 12,000                 | ..... | 64.50                                                     |
| 13,000                 | ..... | 63.00                                                     |
| 14,000                 | ..... | 61.00                                                     |
| 15,000                 | ..... | 59.00                                                     |
| 16,000                 | ..... | 58.00                                                     |
| 17,000                 | ..... | 57.00                                                     |

|        |         |
|--------|---------|
| 18,000 | 56.00   |
| 19,000 | 55.00   |
| 20,000 | 54.00   |
| 21,000 | 53.50   |
| 22,000 | 52.75   |
| 23,000 | 52.00   |
| 24,000 | 51.50   |
| 25,000 | 51.00   |
| 26,000 | 50.50   |
| 27,000 | 50.25   |
| 28,000 | 50.00   |
| 29,000 | 49.50   |
| 30,000 | 49.00   |
| 31,000 | 48.50   |
| 32,000 | 48.00   |
| 33,000 | 47.50   |
| 34,000 | 47.00   |
| 35,000 | 46.50   |
| 36,000 | 46.00   |
| 37,000 | 45.50   |
| 38,000 | 45.00   |
| 39,000 | 44.50   |
| 40,000 | 44.00   |
| 41,000 | 43.50   |
| 42,000 | 43.00   |
| 43,000 | 42.75   |
| 44,000 | 42.25   |
| 45,000 | 41.75   |
| 46,000 | 41.25   |
| 47,000 | 40.75   |
| 48,000 | 40.25   |
| 49,000 | 39.75   |
| 50,000 | 39.25." |

Approved October 22, 1994.

#### LEGISLATIVE HISTORY—S. 455:

HOUSE REPORTS: No. 103-838 (Comm. on Natural Resources).

SENATE REPORTS: No. 103-231 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 140 (1994):

Apr. 13, considered and passed Senate.

Oct. 7, considered and passed House.