

March 1, 1911 (16 U.S.C. 500), shall continue to be made as direct payments and not as Federal financial assistance.

(Pub. L. 106-393, title I, §102, as added Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3896; amended Pub. L. 112-141, div. F, title I, §100101(a)(2), (3), July 6, 2012, 126 Stat. 905; Pub. L. 113-40, §10(a)(1)(B), Oct. 2, 2013, 127 Stat. 545; Pub. L. 114-10, title V, §524(b), Apr. 16, 2015, 129 Stat. 179; Pub. L. 115-141, div. O, title IV, §401(a)(3)(A)-(D), Mar. 23, 2018, 132 Stat. 1077, 1078; Pub. L. 116-94, div. I, title III, §301(a)(2)(A), (B), Dec. 20, 2019, 133 Stat. 3020.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsecs. (b)(3)(A) and (f), was in the original “this Act” in subsecs. (b)(3)(A) and (f)(1) and “the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7101 et seq.)” in subsec. (f)(2), meaning Pub. L. 106-393, Oct. 30, 2000, 114 Stat. 1607, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 7101 of this title and Tables.

Act of May 23, 1908, referred to in subsec. (f)(2), is act May 23, 1908, ch. 192, 35 Stat. 260, which is classified to section 500 of this title.

Act of March 1, 1911, referred to in subsec. (f)(2), is act Mar. 1, 1911, ch. 186, 36 Stat. 961, popularly known as the Weeks Law, which enacted former sections 513 and 514 and sections 515 to 519, 521, 552, and 563 of this title and amended sections 480 and 500 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 552 of this title and Tables.

PRIOR PROVISIONS

A prior section 102 of Pub. L. 106-393 was set out in a note under section 500 of this title prior to repeal by Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3893.

AMENDMENTS

2019—Subsec. (b)(1)(D). Pub. L. 116-94, §301(a)(2)(A)(i), substituted “for each of fiscal years 2017 through 2020” for “for fiscal years 2017 and 2018” in heading and text.

Subsec. (b)(2). Pub. L. 116-94, §301(a)(2)(A)(ii), substituted “for each of fiscal years 2017 through 2020” for “for fiscal years 2017 and 2018” in subpars. (A) and (B).

Subsec. (d)(1)(F). Pub. L. 116-94, §301(a)(2)(B)(1), substituted “for each of fiscal years 2017 through 2020” for “for fiscal years 2017 and 2018” in heading and text.

Subsec. (d)(3)(D). Pub. L. 116-94, §301(a)(2)(B)(ii), substituted “for each of fiscal years 2017 through 2020” for “for fiscal years 2017 and 2018” in heading and text.

2018—Subsec. (b)(1)(D). Pub. L. 115-141, §401(a)(3)(A)(i), added subpar. (D).

Subsec. (b)(2). Pub. L. 115-141, §401(a)(3)(A)(ii), inserted “and for fiscal years 2017 and 2018” after “2015” in subpars. (A) and (B).

Subsec. (d)(1)(B)(ii). Pub. L. 115-141, §401(a)(3)(C)(i), substituted “any portion of the balance” for “not more than 7 percent of the total share for the eligible county of the State payment or the county payment”.

Subsec. (d)(1)(C). Pub. L. 115-141, §401(a)(3)(C)(ii), added subpar. (C) and struck out former subpar. (C). Prior to amendment, text read as follows: “In the case of each eligible county to which more than \$100,000, but less than \$350,000, is distributed for any fiscal year pursuant to either or both of paragraphs (1)(B) and (2)(B) of subsection (a), the eligible county, with respect to the balance of any funds not expended pursuant to subparagraph (A) for that fiscal year, shall—

“(i) reserve any portion of the balance for—

“(I) carrying out projects under subchapter II;

“(II) carrying out projects under subchapter III;

or

“(III) a combination of the purposes described in subclauses (I) and (II); or

“(i) return the portion of the balance not reserved under clause (i) to the Treasury of the United States.”

Subsec. (d)(1)(F). Pub. L. 115-141, §401(a)(3)(B)(i), added subpar. (F).

Subsec. (d)(3)(B)(ii). Pub. L. 115-141, §401(a)(3)(B)(ii)(I), substituted “purposes described in section 7122(b) of this title, section 7123(c) of this title, or section 7124(a)(5) of this title” for “purpose described in section 7122(b) of this title”.

Subsec. (d)(3)(D). Pub. L. 115-141, §401(a)(3)(B)(ii)(II), added subpar. (D).

Subsec. (f). Pub. L. 115-141, §401(a)(3)(D), added subsec. (f).

2015—Subsec. (b)(1)(C). Pub. L. 114-10, §524(b)(1), added subpar. (C).

Subsec. (b)(2)(A). Pub. L. 114-10, §524(b)(2)(A), inserted at end “If such two-fiscal year period included fiscal year 2013, the county election to receive a share of the 25-percent payment or 50-percent payment, as applicable, also shall be effective for fiscal years 2014 and 2015.”

Subsec. (b)(2)(B). Pub. L. 114-10, §524(b)(2)(B), substituted “fiscal year 2015” for “fiscal year 2013”.

Subsec. (d)(1)(E). Pub. L. 114-10, §524(b)(3)(A), added subpar. (E).

Subsec. (d)(3)(C). Pub. L. 114-10, §524(b)(3)(B), added subpar. (C).

2013—Subsec. (b)(1)(A). Pub. L. 113-40, §10(a)(1)(B)(i), substituted “2013” for “2012”.

Subsec. (b)(2)(B). Pub. L. 113-40, §10(a)(1)(B)(ii), substituted “2013” for “2012” in two places.

2012—Subsec. (b)(1)(A). Pub. L. 112-141, §100101(a)(3)(A), substituted “2012” for “2008”.

Subsec. (b)(2)(B). Pub. L. 112-141, §100101(a)(3)(B), inserted “in 2012” before “, the election”.

Pub. L. 112-141, §100101(a)(2), substituted “fiscal year 2012” for “fiscal year 2011”.

Subsec. (d)(1)(A). Pub. L. 112-141, §100101(a)(3)(C)(i), substituted “subparagraph (D)” for “paragraph (3)(B)”.

Subsec. (d)(1)(D). Pub. L. 112-141, §100101(a)(3)(C)(ii)(II), redesignated subsec. (d)(3)(B) as subpar. (D).

Subsec. (d)(3)(A). Pub. L. 112-141, §100101(a)(3)(C)(ii)(I), added subpar. (A) and struck out former subpar. (A) which related to notification of the Secretary of an election and failure to make an election.

Subsec. (d)(3)(B). Pub. L. 112-141, §100101(a)(3)(C)(ii)(III), added subpar. (B). Former subpar. (B) redesignated subsec. (d)(1)(D).

Statutory Notes and Related Subsidiaries

COUNTY ELECTIONS FOR FISCAL YEAR 2021 UNDER THE SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000

Pub. L. 117-102, §1, Mar. 15, 2022, 136 Stat. 48, provided that: “Sections 102(b)(1)(D), 102(d)(1)(F), and 102(d)(3)(D) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7112(b)(1)(D), 7112(d)(1)(F), 7112(d)(3)(D)) shall be applied for fiscal year 2021.”

§ 7113. Transition payments to States

(a) Definitions

In this section:

(1) Adjusted amount

The term “adjusted amount” means, with respect to a covered State—

(A) for fiscal year 2008, 90 percent of—

(i) the sum of the amounts paid for fiscal year 2006 under section 102(a)(2)¹ (as in ef-

¹ See References in Text note below.

fect on September 29, 2006) for the eligible counties in the covered State that have elected under section 7112(b) of this title to receive a share of the State payment for fiscal year 2008; and

(ii) the sum of the amounts paid for fiscal year 2006 under section 103(a)(2)¹ (as in effect on September 29, 2006) for the eligible counties in the State of Oregon that have elected under section 7112(b) of this title to receive the county payment for fiscal year 2008;

(B) for fiscal year 2009, 81 percent of—

(i) the sum of the amounts paid for fiscal year 2006 under section 102(a)(2)¹ (as in effect on September 29, 2006) for the eligible counties in the covered State that have elected under section 7112(b) of this title to receive a share of the State payment for fiscal year 2009; and

(ii) the sum of the amounts paid for fiscal year 2006 under section 103(a)(2)¹ (as in effect on September 29, 2006) for the eligible counties in the State of Oregon that have elected under section 7112(b) of this title to receive the county payment for fiscal year 2009; and

(C) for fiscal year 2010, 73 percent of—

(i) the sum of the amounts paid for fiscal year 2006 under section 102(a)(2)¹ (as in effect on September 29, 2006) for the eligible counties in the covered State that have elected under section 7112(b) of this title to receive a share of the State payment for fiscal year 2010; and

(ii) the sum of the amounts paid for fiscal year 2006 under section 103(a)(2)¹ (as in effect on September 29, 2006) for the eligible counties in the State of Oregon that have elected under section 7112(b) of this title to receive the county payment for fiscal year 2010.

(2) Covered State

The term “covered State” means each of the States of California, Louisiana, Oregon, Pennsylvania, South Carolina, South Dakota, Texas, and Washington.

(b) Transition payments

For each of fiscal years 2008 through 2010, in lieu of the payment amounts that otherwise would have been made under paragraphs (1)(B) and (2)(B) of section 7112(a) of this title, the Secretary of the Treasury shall pay the adjusted amount to each covered State and the eligible counties within the covered State, as applicable.

(c) Distribution of adjusted amount

Except as provided in subsection (d), it is the intent of Congress that the method of distributing the payments under subsection (b) among the counties in the covered States for each of fiscal years 2008 through 2010 be in the same proportion that the payments were distributed to the eligible counties in fiscal year 2006.

(d) Distribution of payments in California

The following payments shall be distributed among the eligible counties in the State of California in the same proportion that payments

under section 102(a)(2)¹ (as in effect on September 29, 2006) were distributed to the eligible counties for fiscal year 2006:

(1) Payments to the State of California under subsection (b).

(2) The shares of the eligible counties of the State payment for California under section 7112 of this title for each of fiscal years 2011 through 2015 and for each of fiscal years 2017 through 2023.

(e) Treatment of payments

For purposes of this chapter, any payment made under subsection (b) shall be considered to be a payment made under section 7112(a) of this title.

(Pub. L. 106-393, title I, §103, as added Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3899; amended Pub. L. 112-141, div. F, title I, §100101(a)(4), July 6, 2012, 126 Stat. 906; Pub. L. 113-40, §10(a)(1)(C), Oct. 2, 2013, 127 Stat. 545; Pub. L. 114-10, title V, §524(a)(4), Apr. 16, 2015, 129 Stat. 179; Pub. L. 115-141, div. O, title IV, §401(a)(3)(E), Mar. 23, 2018, 132 Stat. 1078; Pub. L. 116-94, div. I, title III, §301(a)(2)(C), Dec. 20, 2019, 133 Stat. 3020; Pub. L. 117-58, div. D, title XII, §41202(b)(2), Nov. 15, 2021, 135 Stat. 1132.)

Editorial Notes

REFERENCES IN TEXT

Sections 102(a)(2) and 103(a)(2) (as in effect on September 29, 2006), referred to in subsecs. (a)(1) and (d), mean former sections 102(a)(2) and 103(a)(2), respectively, of Pub. L. 106-393, which were set out in a note under section 500 of this title prior to repeal by Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3893. See Prior Provisions notes set out below and under section 7112 of this title.

This chapter, referred to in subsec. (e), was in the original “this Act”, meaning Pub. L. 106-393, Oct. 30, 2000, 114 Stat. 1607, known as the Secure Rural Schools and Community Self-Determination Act of 2000, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 7101 of this title and Tables.

PRIOR PROVISIONS

A prior section 103 of Pub. L. 106-393 was set out in a note under section 500 of this title prior to repeal by Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3893.

AMENDMENTS

2021—Subsec. (d)(2). Pub. L. 117-58 substituted “2023” for “2020”.

2019—Subsec. (d)(2). Pub. L. 116-94 substituted “through 2015 and for each of fiscal years 2017 through 2020” for “through and for fiscal years 2017 and 2018”.

2018—Subsec. (d)(2). Pub. L. 115-141 substituted “and for fiscal years 2017 and 2018” for “2015”.

2015—Subsec. (d)(2). Pub. L. 114-10 substituted “2015” for “2013”.

2013—Subsec. (d)(2). Pub. L. 113-40 substituted “through 2013” for “and 2012”.

2012—Subsec. (d)(2). Pub. L. 112-141 substituted “each of fiscal years 2011 and 2012” for “fiscal year 2011”.

Statutory Notes and Related Subsidiaries

WAGE RATE REQUIREMENTS

For provisions relating to rates of wages to be paid to laborers and mechanics on projects for construction, alteration, or repair work funded under div. D or an amendment by div. D of Pub. L. 117-58, including au-

thority of Secretary of Labor, see section 18851 of Title 42, The Public Health and Welfare.

SUBCHAPTER II—SPECIAL PROJECTS ON FEDERAL LAND

§ 7121. Definitions

In this subchapter:

(1) Participating county

The term “participating county” means an eligible county that elects under section 7112(d) of this title to expend a portion of the Federal funds received under section 7112 of this title in accordance with this subchapter.

(2) Project funds

The term “project funds” means all funds an eligible county elects under section 7112(d) of this title to reserve for expenditure in accordance with this subchapter.

(3) Resource advisory committee

The term “resource advisory committee” means—

(A) an advisory committee established by the Secretary concerned under section 7125 of this title; or

(B) an advisory committee determined by the Secretary concerned to meet the requirements of section 7125 of this title.

(4) Resource management plan

The term “resource management plan” means—

(A) a land use plan prepared by the Bureau of Land Management for units of the Federal land described in section 7102(7)(B) of this title pursuant to section 1712 of title 43; or

(B) a land and resource management plan prepared by the Forest Service for units of the National Forest System pursuant to section 1604 of this title.

(Pub. L. 106–393, title II, §201, as added Pub. L. 110–343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3900.)

Editorial Notes

PRIOR PROVISIONS

A prior section 201 of Pub. L. 106–393 was set out in a note under section 500 of this title prior to repeal by Pub. L. 110–343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3893.

§ 7122. General limitation on use of project funds

(a) Limitation

Project funds shall be expended solely on projects that meet the requirements of this subchapter.

(b) Authorized uses

Project funds may be used by the Secretary concerned for the purpose of entering into and implementing cooperative agreements with willing Federal agencies, State and local governments, private and nonprofit entities, and landowners for protection, restoration, and enhancement of fish and wildlife habitat, and other resource objectives consistent with the purposes of this chapter on Federal land and on non-Federal land where projects would benefit the resources on Federal land.

(c) Administrative expenses

A resource advisory committee may, in accordance with section 7123 of this title, propose to use not more than 10 percent of the project funds of an eligible county for any fiscal year for administrative expenses associated with operating the resource advisory committee under this subchapter.

(Pub. L. 106–393, title II, §202, as added Pub. L. 110–343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3901; amended Pub. L. 112–141, div. F, title I, §100101(a)(5), July 6, 2012, 126 Stat. 906.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (b), was in the original “this Act”, meaning Pub. L. 106–393, Oct. 30, 2000, 114 Stat. 1607, known as the Secure Rural Schools and Community Self-Determination Act of 2000, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 7101 of this title and Tables.

PRIOR PROVISIONS

A prior section 202 of Pub. L. 106–393 was set out in a note under section 500 of this title prior to repeal by Pub. L. 110–343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3893.

AMENDMENTS

2012—Subsec. (c). Pub. L. 112–141 added subsec. (c).

§ 7123. Submission of project proposals

(a) Submission of project proposals to Secretary concerned

(1) Projects funded using project funds

Not later than September 30 of each fiscal year (or a later date specified by the Secretary concerned for the fiscal year), each resource advisory committee shall submit to the Secretary concerned a description of any projects that the resource advisory committee proposes the Secretary undertake using any project funds reserved by eligible counties in the area in which the resource advisory committee has geographic jurisdiction.

(2) Projects funded using other funds

A resource advisory committee may submit to the Secretary concerned a description of any projects that the committee proposes the Secretary undertake using funds from State or local governments, or from the private sector, other than project funds and funds appropriated and otherwise available to do similar work.

(3) Joint projects

Participating counties or other persons may propose to pool project funds or other funds, described in paragraph (2), and jointly propose a project or group of projects to a resource advisory committee established under section 7125 of this title.

(b) Required description of projects

In submitting proposed projects to the Secretary concerned under subsection (a), a resource advisory committee shall include in the description of each proposed project the following information: