

(i) Reserve any portion of the balance for projects in accordance with subchapter II.

(ii) Reserve not more than 7 percent of the total share for the eligible county of the State payment or the county payment for projects in accordance with subchapter III.

(iii) Return the portion of the balance not reserved under clauses (i) and (ii) to the Treasury of the United States.

(C) Counties with modest distributions

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

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

(2) Distribution of funds

(A) In general

Funds reserved by an eligible county under subparagraph (B)(i) or (C)(i) of paragraph (1) for carrying out projects under subchapter II shall be deposited in a special account in the Treasury of the United States.

(B) Availability

Amounts deposited under subparagraph (A) shall—

- (i) be available for expenditure by the Secretary concerned, without further appropriation; and
- (ii) remain available until expended in accordance with subchapter II.

(3) Election

(A) Notification

(i) In general

An eligible county shall notify the Secretary concerned of an election by the eligible county under this subsection not later than September 30, 2008 (or as soon thereafter as the Secretary concerned determines is practicable), and each September 30 thereafter for each succeeding fiscal year.

(ii) Failure to elect

Except as provided in subparagraph (B), if the eligible county fails to make an election by the date specified in clause (i), the eligible county shall—

- (I) be considered to have elected to expend 85 percent of the funds in accordance with paragraph (1)(A); and
- (II) return the balance to the Treasury of the United States.

(B) Counties with minor distributions

In the case of each eligible county to which less than \$100,000 is distributed for any fiscal year pursuant to either or both of paragraphs (1)(B) and (2)(B) of subsection (a), the eligible county may elect to expend all the funds in the same manner in which the 25-percent payments or 50-percent payments, as applicable, are required to be expended.

(e) Time for payment

The payments required under this section for a fiscal year shall be made as soon as practicable after the end of that fiscal year.

(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.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (b)(3)(A), 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 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.

§ 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 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 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

¹ See References in Text note below.

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 fiscal year 2011.

(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.)

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.

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.)

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