

Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3893.

### Statutory Notes and Related Subsidiaries

#### SHORT TITLE

Pub. L. 106-393, §1, as added by Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3893, provided that: “This Act [enacting this chapter, amending section 191 of Title 30, Mineral Lands and Mining, and section 6903 of Title 31, Money and Finance, enacting provisions set out as notes under sections 181 and 191 of Title 30, and repealing provisions set out as notes under section 500 of this title and former section 1181f of Title 43, Public Lands] may be cited as the ‘Secure Rural Schools and Community Self-Determination Act of 2000’.”

### § 7102. Definitions

In this chapter:

#### (1) Adjusted share

The term “adjusted share” means the number equal to the quotient obtained by dividing—

(A) the number equal to the quotient obtained by dividing—

(i) the base share for the eligible county; by

(ii) the income adjustment for the eligible county; by

(B) the number equal to the sum of the quotients obtained under subparagraph (A) and paragraph (8)(A) for all eligible counties.

#### (2) Base share

The term “base share” means the number equal to the average of—

(A) the quotient obtained by dividing—

(i) the number of acres of Federal land described in paragraph (7)(A) in each eligible county; by

(ii) the total number acres<sup>1</sup> of Federal land in all eligible counties in all eligible States; and

(B) the quotient obtained by dividing—

(i) the amount equal to the average of the 3 highest 25-percent payments and safety net payments made to each eligible State for each eligible county during the eligibility period; by

(ii) the amount equal to the sum of the amounts calculated under clause (i) and paragraph (9)(B)(i) for all eligible counties in all eligible States during the eligibility period.

#### (3) County payment

The term “county payment” means the payment for an eligible county calculated under section 7111(b) of this title.

#### (4) Eligible county

The term “eligible county” means any county that—

(A) contains Federal land (as defined in paragraph (7)); and

(B) elects to receive a share of the State payment or the county payment under section 7112(b) of this title.

#### (5) Eligibility period

The term “eligibility period” means fiscal year 1986 through fiscal year 1999.

#### (6) Eligible State

The term “eligible State” means a State or territory of the United States that received a 25-percent payment for 1 or more fiscal years of the eligibility period.

#### (7) Federal land

The term “Federal land” means—

(A) land within the National Forest System, as defined in section 1609(a) of this title exclusive of the National Grasslands and land utilization projects designated as National Grasslands administered pursuant to the Act of July 22, 1937 (7 U.S.C. 1010-1012); and

(B) such portions of the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant land as are or may hereafter come under the jurisdiction of the Department of the Interior, which have heretofore or may hereafter be classified as timberlands, and power-site land valuable for timber, that shall be managed, except as provided in the former section 3 of the Act of August 28, 1937 (50 Stat. 875; 43 U.S.C. 1181c), for permanent forest production.

#### (8) 50-percent adjusted share

The term “50-percent adjusted share” means the number equal to the quotient obtained by dividing—

(A) the number equal to the quotient obtained by dividing—

(i) the 50-percent base share for the eligible county; by

(ii) the income adjustment for the eligible county; by

(B) the number equal to the sum of the quotients obtained under subparagraph (A) and paragraph (1)(A) for all eligible counties.

#### (9) 50-percent base share

The term “50-percent base share” means the number equal to the average of—

(A) the quotient obtained by dividing—

(i) the number of acres of Federal land described in paragraph (7)(B) in each eligible county; by

(ii) the total number acres<sup>1</sup> of Federal land in all eligible counties in all eligible States; and

(B) the quotient obtained by dividing—

(i) the amount equal to the average of the 3 highest 50-percent payments made to each eligible county during the eligibility period; by

(ii) the amount equal to the sum of the amounts calculated under clause (i) and paragraph (2)(B)(i) for all eligible counties in all eligible States during the eligibility period.

#### (10) 50-percent payment

The term “50-percent payment” means the payment that is the sum of the 50-percent share otherwise paid to a county pursuant to title II of the Act of August 28, 1937 (chapter

<sup>1</sup> So in original. Probably should be preceded by “of”.

876; 50 Stat. 875; 43 U.S.C. 1181f),<sup>2</sup> and the payment made to a county pursuant to the Act of May 24, 1939 (chapter 144; 53 Stat. 753; 43 U.S.C. 1181f-1 et seq.)<sup>2</sup>.

**(11) Full funding amount**

The term “full funding amount” means—

- (A) \$500,000,000 for fiscal year 2008;
- (B) for each of fiscal years 2009 through 2011, the amount that is equal to 90 percent of the full funding amount for the preceding fiscal year;
- (C) for fiscal year 2012 through fiscal year 2015, the amount that is equal to 95 percent of the full funding amount for the preceding fiscal year;
- (D) for fiscal year 2017, the amount that is equal to 95 percent of the full funding amount for fiscal year 2015;
- (E) for each of fiscal years 2018 through 2020, the amount that is equal to 95 percent of the full funding amount for the preceding fiscal year; and
- (F) for fiscal year 2021 and each fiscal year thereafter, the amount that is equal to the full funding amount for fiscal year 2017.

**(12) Income adjustment**

The term “income adjustment” means the square of the quotient obtained by dividing—

- (A) the per capita personal income for each eligible county; by
- (B) the median per capita personal income of all eligible counties.

**(13) Per capita personal income**

The term “per capita personal income” means the most recent per capita personal income data, as determined by the Bureau of Economic Analysis.

**(14) Safety net payments**

The term “safety net payments” means the special payment amounts paid to States and counties required by section 13982 or 13983<sup>2</sup> of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103-66; 16 U.S.C. 500 note; 43 U.S.C. 1181f note).

**(15) Secretary concerned**

The term “Secretary concerned” means—

- (A) the Secretary of Agriculture or the designee of the Secretary of Agriculture with respect to the Federal land described in paragraph (7)(A); and
- (B) the Secretary of the Interior or the designee of the Secretary of the Interior with respect to the Federal land described in paragraph (7)(B).

**(16) State payment**

The term “State payment” means the payment for an eligible State calculated under section 7111(a) of this title.

**(17) 25-percent payment**

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

(Pub. L. 106-393, § 3, as added Pub. L. 110-343, div. C, title VI, § 601(a), Oct. 3, 2008, 122 Stat. 3894; amended Pub. L. 112-141, div. F, title I, § 100101(a)(1), July 6, 2012, 126 Stat. 905; Pub. L. 115-141, div. O, title IV, § 401(a)(1), Mar. 23, 2018, 132 Stat. 1076; Pub. L. 115-334, title VIII, § 8704(a)(1)(B), Dec. 20, 2018, 132 Stat. 4877; Pub. L. 117-58, div. D, title XII, § 41202(a), Nov. 15, 2021, 135 Stat. 1132.)

**Editorial Notes**

REFERENCES IN TEXT

This chapter, referred to in text, 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.

The Act of July 22, 1937, referred to in par. (7)(A), is act July 22, 1937, ch. 517, 50 Stat. 522, known as the Bankhead-Jones Farm Tenant Act, which is classified generally to chapter 33 (§1000 et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see section 1000 of Title 7 and Tables.

Act of August 28, 1937, referred to in par. (10), is act Aug. 28, 1937, ch. 876, 50 Stat. 874. Section 3 of the Act was classified to section 1181c of Title 43, Public Lands, prior to repeal by Pub. L. 94-579, title VII, § 702, Oct. 21, 1976, 90 Stat. 2787. Title II of the Act enacted section 2605 of Title 43 (formerly classified to section 1181f of Title 43), repealed section 1174 of Title 43, and enacted provisions set out as a note under section 2601 of Title 43. For complete classification of this Act to the Code, see Tables.

Act of May 24, 1939, referred to in par. (10), is act May 24, 1939, ch. 144, 53 Stat. 753, was formerly classified to sections 1181f-1 to 1181f-4 of Title 43, Public Lands, and provisions set out as a note under section 1181f-1 of Title 43 prior to editorial reclassification, and is now classified generally to subchapter II (§2621 et seq.) of chapter 44 of Title 43. For complete classification of this Act to the Code, see Tables.

Sections 13982 and 13983 of the Omnibus Budget Reconciliation Act of 1993, referred to in par. (14), are sections 13982 and 13983 of Pub. L. 103-66, which were set out as notes under section 500 of this title and section 1181f of Title 43, Public Lands, respectively, prior to repeal by Pub. L. 106-393, title IV, § 404, Oct. 30, 2000, 114 Stat. 1623.

PRIOR PROVISIONS

A prior section 3 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—Par. (11)(D) to (F). Pub. L. 117-58 added subpars. (D) to (F) and struck out former subpars. (D) and (E) which read as follows:

“(D) for fiscal year 2017, the amount that is equal to 95 percent of the full funding amount for fiscal year 2015; and

“(E) for fiscal year 2018 and each fiscal year thereafter, the amount that is equal to 95 percent of the full funding amount for the preceding fiscal year.”

2018—Par. (11)(C) to (E). Pub. L. 115-141, § 401(a)(1), as amended by Pub. L. 115-334, § 8704(a)(1)(B), substituted “through fiscal year 2015” for “and each fiscal year thereafter” in subpar. (C) and added subpars. (D) and (E).

2012—Par. (11)(B), (C). Pub. L. 112-141 substituted “each of fiscal years 2009 through 2011” for “fiscal year 2009 and each fiscal year thereafter” in subpar. (B) and added subpar. (C).

<sup>2</sup> See References in Text note below.

**Statutory Notes and Related Subsidiaries****EFFECTIVE DATE OF 2018 AMENDMENT**

Amendment by Pub. L. 115-334 effective as if enacted as part of the Wildfire Suppression Funding and Forest Management Activities Act, div. O of Pub. L. 115-141, see section 8704(a)(2) of Pub. L. 115-334, set out as a note under section 901 of Title 2, The Congress.

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

**SUBCHAPTER I—SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LAND****Statutory Notes and Related Subsidiaries**

Similar provisions were contained in the following prior appropriation act:

Pub. L. 116-6, div. E, title IV, §427, Feb. 15, 2019, 133 Stat. 264.

**§ 7111. Secure payments for States containing Federal land****(a) State payment**

For each of fiscal years 2008 through 2015 and 2017 through 2023, the Secretary of Agriculture shall calculate for each eligible State an amount equal to the sum of the products obtained by multiplying—

- (1) the adjusted share for each eligible county within the eligible State; by
- (2) the full funding amount for the fiscal year.

**(b) County payment**

For each of fiscal years 2008 through 2015 and 2017 through 2023, the Secretary of the Interior shall calculate for each eligible county that received a 50-percent payment during the eligibility period an amount equal to the product obtained by multiplying—

- (1) the 50-percent adjusted share for the eligible county; by
- (2) the full funding amount for the fiscal year.

**(c) Special rule for fiscal year 2014 payments****(1) State payment**

If an eligible county in a State that will receive a share of the State payment for fiscal year 2014 has already received, or will receive, a share of the 25-percent payment for fiscal year 2014 distributed to the State before April 16, 2015, the amount of the State payment shall be reduced by the amount of that eligible county's share of the 25-percent payment.

**(2) County payment**

If an eligible county that will receive a county payment for fiscal year 2014 has already received a 50-percent payment for that fiscal year, the amount of the county payment shall be reduced by the amount of the 50-percent payment.

**(d) Special rule for fiscal year 2017 payments****(1) State payment**

If an eligible county in a State that will receive a share of the State payment for fiscal

year 2017 has already received, or will receive, a share of the 25-percent payment for fiscal year 2017 distributed to the State before March 23, 2018, the amount of the State payment shall be reduced by the amount of the share of the eligible county of the 25-percent payment.

**(2) County payment**

If an eligible county that will receive a county payment for fiscal year 2017 has already received a 50-percent payment for fiscal year 2017, the amount of the county payment shall be reduced by the amount of the 50-percent payment.

**(3) Prompt payment**

Not later than 45 days after March 23, 2018, the Secretary of the Treasury shall make all payments under this subchapter for fiscal year 2017.

(Pub. L. 106-393, title I, §101, 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), July 6, 2012, 126 Stat. 905; Pub. L. 113-40, §10(a)(1)(A), Oct. 2, 2013, 127 Stat. 544; Pub. L. 114-10, title V, §524(a)(1), (3), Apr. 16, 2015, 129 Stat. 178, 179; Pub. L. 115-141, div. O, title IV, §401(a)(2), Mar. 23, 2018, 132 Stat. 1077; Pub. L. 116-94, div. I, title III, §301(a)(1), Dec. 20, 2019, 133 Stat. 3020; Pub. L. 117-58, div. D, title XII, §41202(b)(1), Nov. 15, 2021, 135 Stat. 1132.)

**Editorial Notes****PRIOR PROVISIONS**

A prior section 101 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—Subsecs. (a), (b). Pub. L. 117-58 substituted “2015 and 2017 through 2023” for “2015, 2017, 2018, 2019, and 2020” in introductory provisions.

2019—Subsecs. (a), (b). Pub. L. 116-94 substituted “2018, 2019, and 2020” for “and 2018” in introductory provisions.

2018—Subsecs. (a), (b). Pub. L. 115-141, §401(a)(2)(A), substituted “2015, 2017, and 2018” for “2015” in introductory provisions.

Subsec. (d). Pub. L. 115-141, §401(a)(2)(B), added subsec. (d).

2015—Subsecs. (a), (b). Pub. L. 114-10, §524(a)(1), substituted “2015” for “2013” in introductory provisions.

Subsec. (c). Pub. L. 114-10, §524(a)(3), added subsec. (c).

2013—Subsecs. (a), (b). Pub. L. 113-40 substituted “2013” for “2012” in introductory provisions.

2012—Subsecs. (a), (b). Pub. L. 112-141 substituted “2012” for “2011” in introductory provisions.

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

**§ 7112. Payments to States and counties****(a) Payment amounts**

Except as provided in section 7113 of this title, the Secretary of the Treasury shall pay to—