

olution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Ms. PRYCE of Ohio, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶125.12 APPOINTMENT OF CONFEREES—H.R. 2990

The SPEAKER appointed the following Members as managers on the part of the House to the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2990) to amend the Internal Revenue Code of 1986 to allow individuals greater access to health insurance through a health care tax deduction, a long-term care deduction, and other health-related tax incentives, to amend the Employee Retirement Income Security Act of 1974 to provide access to and choice in health care through association health plans, to amend the Public Health Service Act to create new pooling opportunities for small employers to obtain greater access to health coverage through HealthMarts, and for other purposes:

From the Committee on Commerce, for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

Messrs. BLILEY, BILIRAKIS, SHADEGG, DINGELL, and PALLONE.

From the Committee on Ways and Means, for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

Mr. ARCHER and Mr. THOMAS, Mrs. JOHNSON of Connecticut, Mr. RANGEL and Mr. STARK, provided that Mr. MCCRERY is appointed in lieu of Mrs. JOHNSON of Connecticut for consideration of title XIV of the House bill and sections 102, 111(b) and 304 and title II of the Senate amendment.

From the Committee on Education and the Workforce for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

Messrs. BOEHNER, TALENT, FLETCHER, CLAY, and ANDREWS.

As additional conferees from the Committee on Government Reform, for consideration of section 503 of the Senate amendment, and modifications committed to conference:

Messrs. BURTON of Indiana, SCARBOROUGH, and WAXMAN.

As additional conferees for consideration of the House bill, and the Senate amendment, and modifications committed to conference:

Mr. GOSS and Mr. BERRY.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶125.13 COUNTY SCHOOLS FUNDING REVITALIZATION

The SPEAKER pro tempore, Ms. PRYCE of Ohio, pursuant to House Resolution 352 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2389) to restore stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management for use by the counties for the benefit of public schools, roads, and other purposes.

The SPEAKER pro tempore, Ms. PRYCE of Ohio, by unanimous consent, designated Mr. KOLBE as Chairman of the Committee of the Whole; and after some time spent therein,

¶125.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. UDALL of Colorado:

Page 12, strike line 11 and all that follows through line 9 on page 13, and insert the following:

(d) ELECTION TO RESERVE PORTION OF PAYMENT FOR TITLE II PROJECTS.—Each eligible county that receives a distribution under subsection (c) for a fiscal year may elect to reserve up to 20 percent of the funds for expenditure in accordance with title II.

Page 14, strike lines 13 through 22, and insert the following:

ELECTION TO RESERVE PORTION OF PAYMENT FOR TITLE II PROJECTS.—Each eligible county to which a payment is made under subsection (a) for a fiscal year may elect to reserve up to 20 percent of the payment for expenditure in accordance with title II.

Page 15, strike lines 9 through 19, and insert the following:

(B) elects under section 102(d) or 103(d) to expend a portion of those funds in the manner provided in this title.

(2) PROJECT FUNDS.—The term "project funds" means all funds reserved by an eligi-

ble county under section 102(d) or 103(d) for expenditure in accordance with this title.

Page 33, lines 18 and 19, strike "the funds reserved by the county under section 102(d)(1)(A) or 103(d)(1)" and insert "25-percent payments or 50-percent payments".

Page 34, lines 8 and 9, strike "the funds reserved by the county under section 102(d)(1)(A) or 103(d)(1)" and insert "25-percent payments or 50-percent payments".

Page 35, line 24, strike "section 102(d)(1)(B)" and insert "section 102(d)".

Page 36, line 6, strike "section 103(d)(2) and insert "section 103(d)".

It was decided in the { Yeas 186 negative } Nays 241

¶125.15 [Roll No. 559] AYES—186

Table with 3 columns of names: Abercrombie, Ackerman, Allen, Andrews, Baird, Baldacci, Baldwin, Barcia, Barrett (WI), Becerra, Berkley, Berman, Berry, Blagojevich, Blumenauer, Bonior, Borski, Boucher, Brady (PA), Brown (OH), Campbell, Capps, Capuano, Cardin, Carson, Castle, Clay, Clyburn, Condit, Conyers, Costello, Coyne, Crowley, Cummings, Davis (IL), DeGette, Delahunt, DeLauro, Deutsch, Dickey, Dicks, Dixon, Doggett, Dooley, Doyle, Ehlers, Engel, Eshoo, Evans, Farr, Fattah, Filner, Forbes, Frank (MA), Ganske, Gejdenson, Gephardt, Gilman, Gutierrez, Hall (OH), Hastings (FL), Hill (IN), Hilliard, Hinojosa, Hoeffel, Holden, Holt, Horn, Hutchinson, Inslee, Jackson (IL), Jackson-Lee, Jefferson, Johnson (CT), Johnson, E. B., Jones (OH), Kanjorski, Kaptur, Kasich, Kelly, Kennedy, Kildee, Kind (WI), Kleczka, Kucinich, LaFalce, Lantos, Larson, Lazio, Leach, Lee, Levin, Lewis (GA), LoBiondo, Lowey, Luther, Maloney (CT), Markey, Martinez, Matsui, McCarthy (MO), McCarthy (NY), McDermott, McGovern, McHugh, McInnis, McKinney, McNulty, Meehan, Meek (FL), Meeks (NY), Menendez, Millender-McDonald, Miller, George, Minge, Mink, Moakley, Mollohan, Moore, Moran (VA), Morella, Nadler, Napolitano, Neal, Obey, Olver, Owens, Pallone, Pascrell, Pastor, Paul, Payne, Pelosi, Porter, Price (NC), Rahall, Ramstad, Rangel, Rivers, Rodriguez, Roemer, Rohrabacher, Rothman, Roybal-Allard, Royce, Rush, Sabo, Sanchez, Sanders, Sawyer, Schakowsky, Scott, Serrano, Shays, Sherman, Slaughter, Smith (NJ), Smith (WA), Snyder, Spratt, Stabenow, Stark, Stearns, Strickland, Stupak, Sweeney, Thompson (CA), Thompson (MS), Tierney, Towns, Udall (CO), Udall (NM), Velazquez, Vento, Visclosky, Walsh, Waters, Watt (NC), Waxman, Weiner, Wexler, Weygand, Wise, Woolsey, Wu

NOES—241

Table with 3 columns of names: Aderholt, Archer, Armev, Bachus, Baker, Ballenger, Barr, Barrett (NE), Bartlett, Barton, Bass, Bateman, Bentsen, Biggert, Bilbray, Bilirakis, Bishop, Bliley, Blunt, Boehlert, Boehner, Bonilla, Bono, Boswell, Boyd, Brady (TX), Brown (FL), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Canady, Cannon, Chabot, Chambliss, Chenoweth-Hage

Clayton	Hoekstra	Quinn
Clement	Hooley	Radanovich
Coble	Hostettler	Regula
Coburn	Houghton	Reyes
Collins	Hoyer	Reynolds
Combest	Hunter	Riley
Cook	Hyde	Rogan
Cooksey	Isakson	Rogers
Cox	Istook	Ros-Lehtinen
Cramer	Jenkins	Roukema
Crane	John	Ryan (WI)
Cubin	Johnson, Sam	Ryun (KS)
Cunningham	Jones (NC)	Salmon
Danner	King (NY)	Sandlin
Davis (FL)	Kingston	Sanford
Davis (VA)	Klink	Saxton
Deal	Knollenberg	Schaffer
DeFazio	Kolbe	Sensenbrenner
DeLay	Kuykendall	Sessions
DeMint	LaHood	Shadegg
Diaz-Balart	Lampson	Shaw
Dingell	Largent	Sherwood
Doolittle	Latham	Shimkus
Dreier	LaTourette	Shows
Duncan	Lewis (CA)	Shuster
Dunn	Lewis (KY)	Simpson
Edwards	Linder	Sisisky
Ehrlich	Lipinski	Skeen
Emerson	Lofgren	Skelton
English	Lucas (KY)	Smith (MI)
Etheridge	Lucas (OK)	Smith (TX)
Everett	Maloney (NY)	Spence
Ewing	Manzullo	Stenholm
Fletcher	Mascara	Stump
Foley	McCollum	Sununu
Ford	McCrery	Talent
Fossella	McIntosh	Tancredo
Fowler	McIntyre	Tanner
Franks (NJ)	McKeon	Tauscher
Frelinghuysen	Metcalfe	Tauzin
Frost	Mica	Taylor (MS)
Galleghy	Miller (FL)	Taylor (NC)
Gekas	Miller, Gary	Terry
Gibbons	Moran (KS)	Thomas
Gilchrest	Murtha	Thornberry
Gillmor	Myrick	Thune
Gonzalez	Nethercutt	Thurman
Goode	Ney	Tiahrt
Goodlatte	Northup	Toomey
Goodling	Norwood	Trafficant
Gordon	Nussle	Turner
Goss	Oberstar	Upton
Graham	Ortiz	Vitter
Granger	Ose	Walden
Green (TX)	Oxley	Wamp
Green (WI)	Packard	Watkins
Greenwood	Pease	Watts (OK)
Gutknecht	Peterson (MN)	Weldon (FL)
Hall (TX)	Peterson (PA)	Weller
Hansen	Petri	Whitfield
Hastings (WA)	Phelps	Wicker
Hayes	Pickering	Wilson
Hayworth	Pickett	Wolf
Hefley	Pitts	Wynn
Herger	Pombo	Young (AK)
Hill (MT)	Pomeroy	Young (FL)
Hilleary	Portman	
Hobson	Pryce (OH)	

NOT VOTING—6

Bereuter	Kilpatrick	Souder
Hulshof	Scarborough	Weldon (PA)

So the amendment was not agreed to. After some further time,

The SPEAKER pro tempore, Mr. PEASE, assumed the Chair.

When Mrs. EMERSON, Acting Chairman, pursuant to House Resolution 352, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Secure Rural Schools and Community Self-Determination Act of 1999”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purpose.

Sec. 3. Definitions.

TITLE I—SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LANDS

Sec. 101. Determination of full payment amount for eligible States and counties.

Sec. 102. Payments to States from Forest Service lands for use by counties to benefit public education and transportation.

Sec. 103. Payments to counties from Bureau of Land Management lands for use to benefit public safety, law enforcement, education, and other public purposes.

TITLE II—LOCALLY INITIATED PROJECTS ON FEDERAL LANDS

Sec. 201. Definitions.

Sec. 202. General limitation on use of project funds.

Sec. 203. Submission of project proposals by participating counties.

Sec. 204. Evaluation and approval of projects by Secretary concerned.

Sec. 205. Local advisory committees.

Sec. 206. Use of project funds.

Sec. 207. Duration of availability of a county's project funds.

Sec. 208. Treatment of funds generated by locally initiated projects.

TITLE III—FOREST COUNTIES PAYMENTS COMMITTEE

Sec. 301. Definitions.

Sec. 302. National advisory committee to develop long-term methods to meet statutory obligation of Federal lands to contribute to public education and other public services.

Sec. 303. Functions of Advisory Committee.

Sec. 304. Federal Advisory Committee Act requirements.

Sec. 305. Termination of Advisory Committee.

Sec. 306. Sense of the Congress regarding Advisory Committee recommendations.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Authorization of appropriations.

Sec. 402. Treatment of funds and revenues.

Sec. 403. Conforming amendments.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) The National Forest System, which is managed by the United States Forest Service, was established in 1907 and has grown to include approximately 192,000,000 acres of Federal lands.

(2) The public domain lands known as re-vested Oregon and California Railroad grant lands and the reconveyed Coos Bay Wagon Road grant lands, which are managed predominantly by the Bureau of Land Management were returned to Federal ownership in 1916 and 1919 and now comprise approximately 2,600,000 acres of Federal lands.

(3) Congress recognized that, by its decision to secure these lands in Federal ownership, the counties in which these lands are situated would be deprived of revenues they would otherwise receive if the lands were held in private ownership.

(4) Even without such revenues, these same counties have expended public funds year after year to provide services, such as education, road construction and maintenance, search and rescue, law enforcement, waste removal, and fire protection, that directly benefit these Federal lands and people who use these lands.

(5) To accord a measure of compensation to the affected counties for their loss of future

revenues and for the critical services they provide to both county residents and visitors to these Federal lands, Congress determined that the Federal Government should share with these counties a portion of the revenues the United States receives from these Federal lands.

(6) Congress enacted in 1908 and subsequently amended a law that requires that 25 percent of the revenues derived from National Forest System lands be paid to States for use by the counties in which the lands are situated for the benefit of public schools and roads.

(7) Congress enacted in 1937 and subsequently amended a law that requires that 50 percent of the revenues derived from the re-vested and reconveyed grant lands be paid to the counties in which those lands are situated to be used as are other county funds.

(8) For several decades during the dramatic growth of the American economy, counties dependent on and supportive of these Federal lands received and relied on increasing shares of these revenues to provide educational opportunities for the children of residents of these counties.

(9) In recent years, the principal source of these revenues, Federal timber sales, has been sharply curtailed and, as the volume of timber sold annually from most of the Federal lands has decreased precipitously, so too have the revenues shared with the affected counties.

(10) This decline in shared revenues has severely impacted or crippled educational funding in, and the quality of education provided by, the affected counties.

(11) In the Omnibus Budget Reconciliation Act of 1993, Congress recognized this trend and ameliorated its adverse consequences by providing an alternative annual safety net payment to 72 counties in Oregon, Washington, and northern California in which Federal timber sales had been restricted or prohibited by administrative and judicial decisions to protect the northern spotted owl.

(12) The authority for these particular safety net payments is expiring and no comparable authority has been granted for alternative payments to counties elsewhere in the United States that have suffered similar losses in shared revenues from the Federal lands and in the educational funding those revenues provide.

(13) Although alternative payments are not an adequate substitute for the revenues, wages, purchasing of local goods and services, and social opportunities that are generated when the Federal lands are managed in a manner that encourages revenue-producing activities, such alternative payments are critically needed now to stabilize educational funding in the affected counties.

(14) Changes in Federal land management, in addition to having curtailed timber sales, have altered the historic, cooperative relationship between counties and the Forest Service and the Bureau of Land Management.

(15) Both the Forest Service and the Bureau of Land Management face significant backlogs in infrastructure maintenance and ecosystem restoration that are not likely to be addressed through annual appropriations.

(16) New relationships between the counties in which these Federal lands are located and the managers of these Federal lands need to be formed to benefit both the natural resources and rural communities of the United States as the 21st century begins.

(b) PURPOSES.—The purposes of this Act are—

(1) to provide Federal funds to county governments that are dependent on and supportive of the Federal lands so as to assist such counties in restoring funding for education and other public services that the

counties must provide to county residents and visitors;

(2) to provide these funds on a temporary basis in a form that is environmentally sound and consistent with applicable resource management plans;

(3) to facilitate the development, by the Federal Government and the counties which benefit from the shared revenues from the Federal lands, of a new cooperative relationship in Federal land management and the development of local consensus in implementing applicable plans for the Federal lands;

(4) to identify and implement projects on the Federal lands that enjoy broad-based local support; and

(5) to make additional investments in infrastructure maintenance and ecosystem restoration on Federal lands.

SEC. 3. DEFINITIONS.

In this Act:

(1) **FEDERAL LANDS.**—The term “Federal lands” means—

(A) lands within the National Forest System, as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)); and

(B) the Oregon and California Railroad grant lands vested in the United States by the Act of June 9, 1916 (chapter 137; 39 Stat. 218), Coos Bay Wagon Road grant lands conveyed to the United States by the Act of February 26, 1919 (chapter 47; 40 Stat. 1179), and subsequent additions to such lands.

(2) **ELIGIBILITY PERIOD.**—The term “eligibility period” means fiscal year 1984 through fiscal year 1999.

(3) **ELIGIBLE COUNTY.**—The term “eligible county” means a county or borough that received 50-percent payments for one or more fiscal years of the eligibility period or a county or borough that received a portion of an eligible State’s 25-percent payments for one or more fiscal years of the eligibility period. The term includes a county or borough established after the date of the enactment of this Act so long as the county or borough includes all or a portion of a county or borough described in the preceding sentence.

(4) **ELIGIBLE STATE.**—The term “eligible State” means a State that received 25-percent payments for one or more fiscal years of the eligibility period.

(5) **FULL PAYMENT AMOUNT.**—The term “full payment amount” means the amount calculated for each eligible State and eligible county under section 101.

(6) **25-PERCENT PAYMENTS.**—The term “25-percent payments” means the payments 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).

(7) **50-PERCENT PAYMENTS.**—The term “50-percent payments” means the payments that are the sum of the 50-percent share otherwise paid to a county pursuant to title II of the Act of August 28, 1937 (chapter 876; 50 Stat. 875; 43 U.S.C. 1181f), 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.).

(8) **SAFETY NET PAYMENTS.**—The term “safety net payments” means the payments to States and counties required by section 13982 or 13983 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103-66; 16 U.S.C. 500 note; 43 U.S.C. 1181f note).

TITLE I—SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LANDS

SEC. 101. DETERMINATION OF FULL PAYMENT AMOUNT FOR ELIGIBLE STATES AND COUNTIES.

(a) **CALCULATION REQUIRED.**—

(1) **ELIGIBLE STATES.**—The Secretary of the Treasury shall calculate for each eligible

State an amount equal to the average of the three highest 25-percent payments and safety net payments made to that eligible State for fiscal years of the eligibility period.

(2) **BLM COUNTIES.**—The Secretary of the Treasury shall calculate for each eligible county that received a 50-percent payment during the eligibility period an amount equal to the average of the three highest 50-percent payments and safety net payments made to that eligible county for fiscal years of the eligibility period.

(b) **ANNUAL ADJUSTMENT.**—For each fiscal year in which payments are required to be made to eligible States and eligible counties under this title, the Secretary of the Treasury shall adjust the full payment amount in effect for the previous fiscal year for each eligible State and eligible county to reflect changes in the consumer price index for rural areas (as published in the Bureau of Labor Statistics) that occur after publication of that index for fiscal year 1999.

SEC. 102. PAYMENTS TO STATES FROM FOREST SERVICE LANDS FOR USE BY COUNTIES TO BENEFIT PUBLIC EDUCATION AND TRANSPORTATION.

(a) **REQUIREMENT FOR PAYMENTS TO ELIGIBLE STATES.**—The Secretary of the Treasury shall make to each eligible State a payment in accordance with subsection (b) for each of fiscal years 2000 through 2006. The payment for a fiscal year shall be made as soon as practicable after the end of that fiscal year.

(b) **PAYMENT AMOUNTS.**—The payment to an eligible State under subsection (a) for a fiscal year shall consist of the following:

(1) The 25-percent payments and safety net payments under section 13982 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103-66; 16 U.S.C. 500 note) applicable to that State for that fiscal year.

(2) If the amount under paragraph (1) is less than the full payment amount in effect for that State for that fiscal year, such additional funds as may be appropriated to provide a total payment not to exceed the full payment amount, but only to the extent such additional funds are provided in advance as discretionary appropriations included in appropriation Acts.

(c) **DISTRIBUTION AND EXPENDITURE OF PAYMENTS.**—

(1) **DISTRIBUTION METHOD.**—An eligible State that receives a payment under subsection (a) shall distribute the payment among all eligible counties in the State, with each eligible county receiving the same percentage of that payment as the percentage of the State’s total 25-percent payments and safety net payments under section 13982 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103-66; 16 U.S.C. 500 note) that were distributed to that county for fiscal years of the eligibility period.

(2) **EXPENDITURE PURPOSES.**—Subject to subsection (d), payments received by eligible States under subsection (a) and distributed to eligible counties shall be expended in the same manner in which 25-percent payments are required to be expended.

(d) **EXPENDITURE RULES FOR ELIGIBLE COUNTIES.**—

(1) **GENERAL RULE.**—In the case of an eligible county to which \$100,000 or more is distributed in a fiscal year pursuant to subsection (c)—

(A) 80 percent of the funds distributed to the eligible county shall be expended in the same manner in which the 25-percent payments are required to be expended; and

(B) 20 percent of the funds distributed to the eligible county shall be reserved and expended by the eligible county in accordance with title II.

(2) **COUNTIES WITH MINOR DISTRIBUTIONS.**—In the case of each eligible county to which less than \$100,000 is distributed for fiscal year 2000 pursuant to subsection (c), the eligible

county shall make an election whether or not to be subject to the requirements of paragraph (1) for that fiscal year and all subsequent fiscal years for which payments are made under subsection (a). The county shall notify the Secretary of Agriculture of its election under this subsection not later than 60 days after the county receives its distribution for fiscal year 2000.

SEC. 103. PAYMENTS TO COUNTIES FROM BUREAU OF LAND MANAGEMENT LANDS FOR USE TO BENEFIT PUBLIC SAFETY, LAW ENFORCEMENT, EDUCATION, AND OTHER PUBLIC PURPOSES.

(a) **REQUIREMENT FOR PAYMENTS TO ELIGIBLE COUNTIES.**—The Secretary of the Treasury shall make to each eligible county that received a 50-percent payment during the eligibility period a payment in accordance with subsection (b) for each of fiscal years 2000 through 2006. The payment for a fiscal year shall be made as soon as practicable after the end of that fiscal year.

(b) **PAYMENT AMOUNTS.**—The payment to an eligible county under subsection (a) for a fiscal year shall consist of the following:

(1) The 50-percent payments and safety net payments under section 13983 of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103-66; 43 U.S.C. 1181f note) applicable to that county for that fiscal year.

(2) If the amount under paragraph (1) is less than the full payment amount in effect for that county for that fiscal year, such additional funds as may be appropriated to provide a total payment not to exceed the full payment amount, but only to the extent such additional funds are provided in advance as discretionary appropriations included in appropriation Acts.

(c) **EXPENDITURE OF PAYMENTS.**—Subject to subsection (d), payments received by eligible counties under subsection (a) shall be expended in the same manner in which 50-percent payments are required to be expended.

(d) **EXPENDITURE RULES FOR ELIGIBLE COUNTIES.**—In the case of an eligible county to which a payment is made in a fiscal year pursuant to subsection (a)—

(1) 80 percent of the payment to the eligible county shall be expended in the same manner in which the 50-percent payments are required to be expended; and

(2) 20 percent of the payment to the eligible county shall be reserved and expended by the eligible county in accordance with title II.

TITLE II—LOCALLY INITIATED PROJECTS ON FEDERAL LANDS

SEC. 201. DEFINITIONS.

In this title:

(1) **PARTICIPATING COUNTY.**—The term “participating county” means an eligible county that—

(A) receives Federal funds pursuant to section 102 or 103; and

(B) is required to expend a portion of those funds in the manner provided in section 102(d)(1)(B) or 103(d)(2) or elects under section 102(d)(2) to expend a portion of those funds in accordance with section 102(d)(1)(B).

(2) **PROJECT FUNDS.**—The term “project funds” means all funds reserved by an eligible county under section 102(d)(1)(B) or 103(d)(2) for expenditure in accordance with this title and all funds that an eligible county elects under section 102(d)(2) to reserve under section 102(d)(1)(B).

(3) **LOCAL ADVISORY COMMITTEE.**—The term “local advisory committee” means an advisory committee established by the Secretary concerned under section 205.

(4) **RESOURCE MANAGEMENT PLAN.**—The term “resource management plan” means a land use plan prepared by the Bureau of Land Management for units of the Federal lands described in section 3(1)(B) pursuant to

section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) and land and resource management plans prepared by the Forest Service for units of the National Forest System pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(5) **SECRETARY CONCERNED.**—The term “Secretary concerned” means the Secretary of the Interior with respect to the Federal lands described in section 3(1)(B) and the Secretary of Agriculture with respect to the Federal lands described in section 3(1)(A).

(6) **SPECIAL ACCOUNT.**—The term “special account” means an account in the Treasury established under section 208(c) for each region of the Forest Service, and for the Bureau of Land Management.

SEC. 202. GENERAL LIMITATION ON USE OF PROJECT FUNDS.

Project funds shall be expended solely on projects that meet the requirements of this title and are conducted on the Federal lands.

SEC. 203. SUBMISSION OF PROJECT PROPOSALS BY PARTICIPATING COUNTIES.

(a) **SUBMISSION OF PROJECT PROPOSALS TO SECRETARY CONCERNED.**—

(1) **PROJECTS FUNDED USING PROJECT FUNDS.**—Not later than September 30, 2001, and each September 30 thereafter through 2009, each participating county shall submit to the Secretary concerned a description of any projects that the county proposes the Secretary undertake using any project funds reserved by the county during the three-fiscal year period consisting of the fiscal year in which the submission is made and the preceding two fiscal years. A participating county does not have to submit all of its project proposals for a year at the same time.

(2) **PROJECTS FUNDED USING SPECIAL ACCOUNTS.**—Until September 30, 2007, a participating county may also submit to the Secretary concerned a description of any projects that the county proposes the Secretary undertake using amounts in a special account in lieu of or in addition to the county's project funds.

(3) **JOINT PROJECTS.**—Participating counties may pool their project funds and jointly propose a project or group of projects to the Secretary concerned under paragraph (1). Participating counties may also jointly propose a project or group of projects to the Secretary concerned under paragraph (2).

(b) **REQUIRED DESCRIPTION OF PROJECTS.**—In submitting proposed projects to the Secretary concerned under subsection (a), a participating county shall include in the description of each proposed project the following information:

- (1) The purpose of the project.
- (2) An estimation of the amount of any timber, forage, and other commodities anticipated to be harvested or generated as part of the project.
- (3) The anticipated duration of the project.
- (4) The anticipated cost of the project.
- (5) The proposed source of funding for the project, whether project funds, funds from the appropriate special account, or both.
- (6) The anticipated revenue, if any, to be generated by the project.

(c) **ROLE OF LOCAL ADVISORY COMMITTEE.**—A participating county may propose a project to the Secretary concerned under subsection (a) only if the project has been reviewed and approved by the relevant local advisory committee in accordance with the requirements of section 205, including the procedures issued under subsection (d) of such section.

(d) **AUTHORIZED PROJECTS.**—

(1) **IN GENERAL.**—Projects proposed under subsection (a) shall consist of any type of project or activity that the Secretary concerned may otherwise carry out on the Federal lands.

(2) **SEARCH, RESCUE, AND EMERGENCY SERVICES.**—Notwithstanding paragraph (1), a participating county may submit as a proposed project under subsection (a) a proposal that the county receive reimbursement for search and rescue and other emergency services performed on Federal lands and paid for by the county. The source of funding for an approved project of this type may only be the special account for the region in which the county is located or, in the case of a county that receives 50-percent payments, the special account for the Bureau of Land Management.

(3) **COMMUNITY SERVICE WORK CAMPS.**—Notwithstanding paragraph (1), a participating county may submit as a proposed project under subsection (a) a proposal that the county receive reimbursement for all or part of the costs incurred by the county to pay the salaries and benefits of county employees who supervise adults or juveniles performing mandatory community service on Federal lands.

SEC. 204. EVALUATION AND APPROVAL OF PROJECTS BY SECRETARY CONCERNED.

(a) **CONDITIONS FOR APPROVAL OF PROPOSED PROJECT.**—The Secretary concerned may make a decision to approve a project submitted by a participating county under section 203 only if the proposed project satisfies each of the following conditions:

(1) The project complies with all Federal laws and all Federal rules, regulations, and policies.

(2) The project is consistent with the applicable resource management plan and with any watershed or subsequent plan developed pursuant to the resource management plan and approved by the Secretary concerned.

(3) The project has been approved by the relevant local advisory committee in accordance with section 205, including the procedures issued under subsection (d) of such section.

(4) The project has been described by the participating county in accordance with section 203(b).

(b) **ENVIRONMENTAL REVIEWS.**—

(1) **REVIEW REQUIRED.**—Before making a decision to approve a proposed project under subsection (a), the Secretary concerned shall complete any environmental review required by the National Environmental Policy Act of 1969 (42 U.S.C. 321 et seq.) in connection with the project and any consultation and biological assessment required by the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) in connection with the project.

(2) **TREATMENT OF REVIEW.**—Decisions of the Secretary concerned related to an environmental review or consultation conducted under paragraph (1) shall not be subject to administrative appeal or judicial review unless and until the Secretary approves the project under subsection (a) for which the review or consultation was conducted.

(3) **PAYMENT OF REVIEW COSTS.**—

(A) **REQUEST FOR PAYMENT BY COUNTY.**—The Secretary concerned may request the participating county or counties submitting a proposed project to use project funds to pay for any environmental review or consultation required under paragraph (1) in connection with the project. When such a payment is requested, the Secretary concerned shall not begin the environmental review or consultation until and unless the payment is received.

(B) **EFFECT OF REFUSAL TO PAY.**—If a participating county refuses to make the requested payment under subparagraph (A) in connection with a proposed project, the participating county shall withdraw the submission of the project from further consideration by the Secretary concerned. Such a withdrawal shall be deemed to be a rejection of the project for purposes of section 207(d).

(c) **TIME PERIODS FOR CONSIDERATION OF PROJECTS.**—

(1) **PROJECTS REQUIRING ENVIRONMENTAL REVIEW.**—If the Secretary concerned determines that an environmental review or consultation is required for a proposed project pursuant to subsection (b), the Secretary concerned shall make a decision under subsection (a) to approve or reject the project, to the extent practicable, within 30 days after the completion of the last of the required environmental reviews and consultations.

(2) **OTHER PROJECTS.**—If the Secretary concerned determines that an environmental review or consultation is not required for a proposed project, the Secretary shall make a decision under subsection (a) to approve or reject the project, to the extent practicable, within 60 days after the date of that determination.

(d) **DECISIONS OF SECRETARY CONCERNED.**—

(1) **REJECTION OF PROJECTS.**—A decision by the Secretary concerned to reject a proposed project shall be at the Secretary's sole discretion. Within 30 days after making the rejection decision, the Secretary concerned shall notify in writing the participating county that submitted the proposed project of the rejection and the reasons therefor.

(2) **NOTICE OF PROJECT APPROVAL.**—The Secretary concerned shall publish in the Federal Register notice of each project approved under subsection (a) if such notice would be required had the project originated with the Secretary.

(3) **PROJECT APPROVAL AS FINAL AGENCY ACTION.**—A decision by the Secretary concerned to approve a project under subsection (a) shall be considered a final agency action under the Administrative Procedures Act.

(e) **SOURCE AND CONDUCT OF PROJECT.**—For purposes of Federal law, a project approved by the Secretary concerned under this section shall be considered to have originated with the Secretary.

(f) **IMPLEMENTATION OF APPROVED PROJECTS.**—

(1) **RESPONSIBILITY OF SECRETARY.**—The Secretary concerned shall be responsible for carrying out projects approved by the Secretary under this section. The Secretary concerned shall carry out the projects in compliance with all Federal laws (including the Act of March 3, 1931, commonly known as the Davis-Bacon Act) and all Federal rules, regulations, and policies and in the same manner as projects of the same kind that originate with the Secretary.

(2) **COOPERATION.**—The Secretary concerned may enter into contracts and cooperative agreements with States and local governments, private and nonprofit entities, and landowners and other persons to assist the Secretary in carrying out an approved project.

(3) **BEST VALUE STEWARDSHIP CONTRACTING.**—Subject to paragraph (1), to enter into a contract authorized by paragraph (2), the Secretary concerned may use a contracting method that secures, for the best price, the best quality service, as determined by the Secretary based upon the following:

(A) The technical demands and complexity of the work to be done.

(B) The ecological sensitivity of the resources being treated.

(C) The past experience by the contractor with the type of work being done, using the type of equipment proposed for the project, and meeting or exceeding desired ecological conditions.

(D) The use by the contractor of low value species and byproducts.

(E) The commitment of the contractor to hiring highly qualified workers and local residents.

(g) **TIME FOR COMMENCEMENT.**—

(1) **PROJECTS FUNDED USING PROJECT FUNDS.**—If an approved project is to be funded in whole or in part using project funds to be provided by a participating county or counties, the Secretary concerned shall commence the project as soon as practicable after the receipt of the project funds pursuant to section 206 from the county.

(2) **PROJECTS FUNDED USING SPECIAL ACCOUNTS.**—If an approved project is to be funded using amounts from a special account in lieu of any project funds, the Secretary concerned shall commence the project as soon as practicable after the approval decision is made.

SEC. 205. LOCAL ADVISORY COMMITTEES.

(a) **ESTABLISHMENT AND PURPOSE OF LOCAL ADVISORY COMMITTEES.**—

(1) **ESTABLISHMENT.**—Except as provided in paragraph (2), the Secretary concerned shall establish and maintain, for each unit of Federal lands, a local advisory committee to review projects proposed by participating counties and to recommend projects to participating counties.

(2) **COMBINATION OR DIVISION OF UNITS.**—The Secretary concerned may, at the Secretary's sole discretion, combine or divide units of Federal lands for the purpose of establishing local advisory committees.

(b) **APPOINTMENT BY THE SECRETARY.**—

(1) **APPOINTMENT AND TERM.**—The Secretary concerned shall appoint the members of local advisory committees for a term of 2 years beginning on the date of appointment. The Secretary concerned may reappoint members to subsequent 2-year terms.

(2) **BASIC REQUIREMENTS.**—The Secretary concerned shall ensure that each local advisory committee established by the Secretary meets the requirements of subsection (c).

(3) **INITIAL APPOINTMENT.**—The Secretary concerned shall make initial appointments to the local advisory committees not later than 120 days after the date of the enactment of this Act.

(4) **VACANCIES.**—The Secretary concerned shall make appointments to fill vacancies on any local advisory committee as soon as practicable after the vacancy has occurred.

(5) **COMPENSATION.**—Members of the local advisory committees shall not receive any compensation.

(c) **COMPOSITION OF ADVISORY COMMITTEE.**—

(1) **NUMBER.**—Each local advisory committee shall be comprised of 15 members.

(2) **COMMUNITY INTERESTS REPRESENTED.**—Each local advisory committee shall have at least one member representing each of the following:

- (A) Local resource users.
- (B) Environmental interests.
- (C) Forest workers.
- (D) Organized labor representatives.
- (E) Elected county officials.
- (F) School officials or teachers.

(3) **GEOGRAPHIC DISTRIBUTION.**—To the extent practicable, the members of a local advisory committee shall be drawn from throughout the area covered by the committee.

(4) **CHAIRPERSON.**—A majority on each local advisory committee shall select the chairperson of the committee.

(d) **APPROVAL PROCEDURES.**—

(1) **ISSUANCE.**—Not later than 90 days after the date of the enactment of this Act, the Secretaries concerned shall jointly issue the approval procedures that each local advisory committee must use in order to ensure that a local advisory committee only approves projects that are broadly supported by the committee. The Secretaries shall publish the procedures in the Federal Register.

(2) **TREATMENT OF PROCEDURES.**—The issuance and content of the procedures issued under paragraph (1) shall not be subject to administrative appeal or judicial re-

view. Nothing in this paragraph shall affect the responsibility of local advisory committees to comply with the procedures.

(e) **OTHER COMMITTEE AUTHORITIES AND REQUIREMENTS.**—

(1) **STAFF ASSISTANCE.**—A local advisory committee may submit to the Secretary concerned a request for staff assistance from Federal employees under the jurisdiction of the Secretary.

(2) **MEETINGS.**—All meetings of a local advisory committee shall be announced at least one week in advance in a local newspaper of record and shall be open to the public.

(3) **RECORDS.**—A local advisory committee shall maintain records of the meetings of the committee and make the records available for public inspection.

(f) **FEDERAL ADVISORY COMMITTEE ACT EXEMPTION.**—The local advisory committees shall be exempt from the provisions of the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 206. USE OF PROJECT FUNDS.

(a) **AGREEMENT REGARDING SCHEDULE AND COST OF PROJECT.**—

(1) **AGREEMENT BETWEEN PARTIES.**—As soon as practicable after the approval of a project by the Secretary concerned under section 204, the Secretary concerned and the chief administrative official of the participating county (or one such official representing a group of participating counties) shall enter into an agreement addressing, at a minimum, the following with respect to the project:

(A) The schedule for completing the project.

(B) The total cost of the project, including the level of agency overhead to be assessed against the project.

(C) For a multi-year project, the estimated cost of the project for each of the fiscal years in which it will be carried out.

(D) The remedies for the failure of the Secretary concerned to comply with the terms of the agreement.

(2) **LIMITED USE OF FEDERAL FUNDS.**—The Secretary concerned may decide, at the Secretary's sole discretion, to cover the costs of a portion of an approved project using Federal funds appropriated or otherwise available to the Secretary for the same purposes as the project.

(b) **TRANSFER OF PROJECT FUNDS.**—

(1) **INITIAL TRANSFER REQUIRED.**—As soon as practicable after the agreement is reached under subsection (a) with regard to a project to be funded in whole or in part using project funds, the participating county or counties that are parties to the agreement shall transfer to the Secretary concerned an amount of project funds equal to—

(A) in the case of a project to be completed in a single fiscal year, the total amount specified in the agreement to be paid by the county or counties; or

(B) in the case of a multi-year project, the amount specified in the agreement to be paid by the county or counties for the first fiscal year.

(2) **CONDITION ON PROJECT COMMENCEMENT.**—The Secretary concerned shall not commence a project pursuant to section 204(g)(1) until the project funds required to be transferred under paragraph (1) for the project have been received by the Secretary.

(3) **SUBSEQUENT TRANSFERS FOR MULTI-YEAR PROJECTS.**—For the second and subsequent fiscal years of a multi-year project to be funded in whole or in part using project funds, the participating county or counties shall transfer to the Secretary concerned the amount of project funds required to continue the project in that fiscal year according to the agreement entered into under subsection

(a). The Secretary concerned shall suspend work on the project if the county fails to transfer the required amounts as required by the agreement.

(4) **SPECIAL RULE FOR WORK CAMP PROJECTS.**—In the case of a project described in section 203(d)(3) and approved under section 204, the agreement required by subsection (a) shall specify the manner in which a participating county that is a party to the agreement may retain project funds to cover the costs of the project.

(c) **AVAILABILITY OF TRANSFERRED FUNDS.**—Project funds transferred to the Secretary concerned under this section shall remain available until the project is completed.

SEC. 207. DURATION OF AVAILABILITY OF A COUNTY'S PROJECT FUNDS.

(a) **SUBMISSION OF PROPOSED PROJECTS TO OBLIGATE FUNDS.**—By the end of each of the fiscal years 2003 through 2009, a participating county shall submit to the Secretary concerned pursuant to section 203(a)(1) a sufficient number of project proposals that, if approved, would result in the obligation of at least the full amount of the project funds the county received under title I in the second preceding fiscal year.

(b) **TRANSFER OF UNOBLIGATED FUNDS.**—If a participating county fails to comply with subsection (a) for a fiscal year, any project funds that the county received in the second preceding fiscal year and remaining unobligated shall be returned to the Secretary of the Treasury for disposition as provided in subsection (c).

(c) **DISPOSITION OF RETURNED FUNDS.**—

(1) **DEPOSIT IN SPECIAL ACCOUNTS.**—In the case of project funds returned under subsection (b) in fiscal year 2004, 2005, or 2006, the Secretary of the Treasury shall deposit the funds in the appropriate special account.

(2) **DEPOSIT IN GENERAL FUND.**—After fiscal year 2006, the Secretary of the Treasury shall deposit returned project funds in the general fund of the Treasury.

(d) **EFFECT OF REJECTION OF PROJECTS.**—Notwithstanding subsection (b), any project funds of a participating county that are unobligated at the end of a fiscal year because the Secretary concerned has rejected one or more proposed projects shall be available for the county to expend in the same manner as the funds reserved by the county under section 102(d)(1)(A) or 103(d)(1), whichever applies to the funds involved. The project funds covered by this subsection shall remain available until expended.

(e) **EFFECT OF COURT ORDERS.**—

(1) **PROJECTS FUNDED USING PROJECT FUNDS.**—If an approved project is enjoined or prohibited by a Federal court after funds for the project are transferred to the Secretary concerned under section 206, the Secretary concerned shall return any unobligated project funds related to that project to the participating county or counties that transferred the funds. The returned funds shall be available for the county to expend in the same manner as the funds reserved by the county under section 102(d)(1)(A) or 103(d)(1), whichever applies to the funds involved. The funds shall remain available until expended and shall be exempt from the requirements of subsection (b).

(2) **PROJECTS FUNDED USING SPECIAL ACCOUNTS.**—If an approved project is enjoined or prohibited by a Federal court after funds from a special account have been reserved for the project under section 208, the Secretary concerned shall treat the funds in the same manner as revenues described in section 208(a).

SEC. 208. TREATMENT OF FUNDS GENERATED BY LOCALLY INITIATED PROJECTS.

(a) **PAYMENT TO SECRETARY.**—Any and all revenues generated from a project carried out in whole or in part using project funds or

funds from a special account shall be paid to the Secretary concerned.

(b) DEPOSIT.—Notwithstanding any other provision of law, the Secretary concerned shall deposit the revenues described in subsection (a) as follows:

(1) Through fiscal year 2006, the revenues shall be deposited in the appropriate special account as provided in subsection (c).

(2) After fiscal year 2006, the revenues shall be deposited in the general fund of the Treasury.

(c) REGIONAL AND BLM SPECIAL ACCOUNTS.—

(1) ESTABLISHMENT.—There is established in the Treasury an account for each region of the Forest Service and an account for the Bureau of Land Management. The accounts shall consist of the following:

(A) Revenues described in subsection (a) and deposited pursuant to subsection (b)(1).

(B) Project funds deposited pursuant to section 207(c)(1).

(C) Interest earned on amounts in the special accounts.

(2) REQUIRED DEPOSIT IN FOREST SERVICE ACCOUNTS.—If the revenue-generating project was carried out in whole or in part using project funds that were reserved pursuant to section 102(d)(1)(B), the revenues shall be deposited in the account established under paragraph (1) for the Forest Service region in which the project was conducted.

(3) REQUIRED DEPOSIT IN BLM ACCOUNT.—If the revenue-generating project was carried out in whole or in part using project funds that were reserved pursuant to section 103(d)(2), the revenues shall be deposited in the account established under paragraph (1) for the Bureau of Land Management.

(4) PROJECTS CONDUCTED USING SPECIAL ACCOUNT FUNDS.—If the revenue-generating project was carried out using amounts from a special account in lieu of any project funds, the revenues shall be deposited in the special account from which the amounts were derived.

(d) USE OF ACCOUNTS TO CONDUCT PROJECTS.—

(1) AUTHORITY TO USE ACCOUNTS.—The Secretary concerned may use amounts in the special accounts, without appropriation, to fund projects submitted by participating counties under section 203(a)(2) that have been approved by the Secretary concerned under section 204.

(2) SOURCE OF FUNDS; PROJECT LOCATIONS.—Funds in a special account established under subsection (c)(1) for a region of the Forest Service region may be expended only for projects approved under section 204 to be conducted in that region. Funds in the special account established under subsection (c)(1) for the Bureau of Land Management may be expended only for projects approved under section 204 to be conducted on Federal lands described in section 3(1)(B).

(3) DURATION OF AUTHORITY.—No funds may be obligated under this subsection after September 30, 2007. Unobligated amounts in the special accounts after that date shall be promptly transferred to the general fund of the Treasury.

TITLE III—FOREST COUNTIES PAYMENTS COMMITTEE

SEC. 301. DEFINITIONS.

In this title:

(1) ADVISORY COMMITTEE.—The term “Advisory Committee” means the Forest Counties Payments Committee established by section 302.

(2) HOUSE COMMITTEES OF JURISDICTION.—The term “House committees of jurisdiction” means the Committee on Agriculture, the Committee on Resources, and the Committee on Appropriations of the House of Representatives.

(3) SENATE COMMITTEES OF JURISDICTION.—The term “Senate committees of jurisdic-

tion” means the Committee on Agriculture, Nutrition, and Forestry, the Committee on Energy and Natural Resources, and the Committee on Appropriations of the Senate.

(4) SUSTAINABLE FORESTRY.—The term “sustainable forestry” means principles of sustainable forest management that equally consider ecological, economic, and social factors in the management of Federal lands.

SEC. 302. NATIONAL ADVISORY COMMITTEE TO DEVELOP LONG-TERM METHODS TO MEET STATUTORY OBLIGATION OF FEDERAL LANDS TO CONTRIBUTE TO PUBLIC EDUCATION AND OTHER PUBLIC SERVICES.

(a) ESTABLISHMENT OF FOREST COUNTIES PAYMENTS COMMITTEE.—There is hereby established an advisory committee, to be known as the Forest Counties Payments Committee, to develop recommendations, consistent with sustainable forestry, regarding methods to ensure that States and counties in which Federal lands are situated receive adequate Federal payments to be used for the benefit of public education and other public purposes.

(b) MEMBERS.—The Advisory Committee shall be composed of the following members:

(1) The Chief of the Forest Service, or a designee of the Chief who has significant expertise in sustainable forestry.

(2) The Director of the Bureau of Land Management, or a designee of the Director who has significant expertise in sustainable forestry.

(3) The Director of the Office of Management and Budget, or the Director’s designee.

(4) Two members who are elected members of the governing branches of eligible counties; one such member to be appointed by the President pro tempore of the Senate (in consultation with the chairmen and ranking members of the Senate committees of jurisdiction) and one such member to be appointed by the Speaker of the House of Representatives (in consultation with the chairmen and ranking members of the House committees of jurisdiction) within 60 days of the date of the enactment of this Act.

(5) Two members who are elected members of school boards for, superintendents from, or teachers employed by, school districts in eligible counties; one such member to be appointed by the President pro tempore of the Senate (in consultation with the chairmen and ranking members of the Senate committees of jurisdiction) and one such member to be appointed by the Speaker of the House of Representatives (in consultation with the chairmen and ranking members of the House committees of jurisdiction) within 60 days of the date of the enactment of this Act.

(c) GEOGRAPHIC REPRESENTATION.—In making appointments under paragraphs (4) and (5) of subsection (b), the President pro tempore of the Senate and the Speaker of the House of Representatives shall seek to ensure that the Advisory Committee members are selected from geographically diverse locations.

(d) ORGANIZATION OF ADVISORY COMMITTEE.—

(1) CHAIRPERSON.—The Chairperson of the Advisory Committee shall be selected from among the members appointed pursuant to paragraphs (4) and (5) of subsection (b).

(2) VACANCIES.—Any vacancy in the membership of the Advisory Committee shall be filled in the same manner as required by subsection (b). A vacancy shall not impair the authority of the remaining members to perform the functions of the Advisory Committee under section 303.

(3) COMPENSATION.—The members of the Advisory Committee who are not officers or employees of the United States, while attending meetings or other events held by the Advisory Committee or at which the members serve as representatives of the Advisory

Committee or while otherwise serving at the request of the Chairperson, shall each be entitled to receive compensation at a rate not in excess of the maximum rate of pay for grade GS-18, as provided in the General Schedule under section 5332 of title 5, United States Code, including traveltime, and while away from their homes or regular places of business shall each be reimbursed for travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

(e) STAFF AND RULES.—

(1) EXECUTIVE DIRECTOR.—The Advisory Committee shall have an Executive Director, who shall be appointed (without regard to the provisions of title 5, United States Code, governing appointments in the competitive service) by the Advisory Committee and serve at the pleasure of the Advisory Committee. The Executive Director shall report to the Advisory Committee and assume such duties as the Advisory Committee may assign. The Executive Director shall be paid at a rate not in excess of pay for grade GS-18, as provided in the General Schedule under 5332 of title 5, United States Code.

(2) OTHER STAFF.—In addition to authority to appoint personnel subject to the provisions of title 5, United States Code, governing appointments to the competitive service, and to pay such personnel in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, the Advisory Committee shall have authority to enter into contracts with private or public organizations which may furnish the Advisory Committee with such administrative and technical personnel as may be necessary to carry out the functions of the Advisory Committee under section 303. To the extent practicable, such administrative and technical personnel, and other necessary support services, shall be provided for the Advisory Committee by the Chief of the Forest Service and the Director of the Bureau of Land Management.

(3) COMMITTEE RULES.—The Advisory Committee may establish such procedural and administrative rules as are necessary for the performance of its functions under section 303.

(f) FEDERAL AGENCY COOPERATION.—The heads of the departments, agencies, and instrumentalities of the executive branch of the Federal Government shall cooperate with the Advisory Committee in the performance of its functions under subsection (c) and shall furnish to the Advisory Committee information which the Advisory Committee deems necessary to carry out such functions.

SEC. 303. FUNCTIONS OF ADVISORY COMMITTEE.

(a) DEVELOPMENT OF RECOMMENDATIONS.—

(1) IN GENERAL.—The Advisory Committee shall develop recommendations for policy or legislative initiatives (or both) regarding alternatives for, or substitutes to, the short-term payments required by title I in order to provide a long-term method to generate annual payments to eligible States and eligible counties at or above the full payment amount.

(2) REPORTING REQUIREMENTS.—Not later than 18 months after the date of the enactment of this Act, the Advisory Committee shall submit to the Senate committees of jurisdiction and the House committees of jurisdiction a final report containing the recommendations developed under this subsection. The Advisory Committee shall submit semiannual progress reports on its activities and expenditures to the Senate committees of jurisdiction and the House committees of jurisdiction until the final report has been submitted.

(b) GUIDANCE FOR COMMITTEE.—In developing the recommendations required by subsection (a), the Advisory Committee shall—

(1) evaluate the method by which payments are made to eligible States and eligible counties under title I and the use of such payments;

(2) evaluate the effectiveness of the local advisory committees established pursuant to section 205; and

(3) consider the impact on eligible States and eligible counties of revenues derived from the historic multiple use of the Federal lands.

(c) MONITORING AND RELATED REPORTING ACTIVITIES.—The Advisory Committee shall monitor the payments made to eligible States and eligible counties pursuant to title I and submit to the Senate committees of jurisdiction and the House committees of jurisdiction an annual report describing the amounts and sources of such payments and containing such comments as the Advisory Committee may have regarding such payments.

(d) TESTIMONY.—The Advisory Committee shall make itself available for testimony or comments on the reports required to be submitted by the Advisory Committee and on any legislation or regulations to implement any recommendations made in such reports in any congressional hearings or any rule-making or other administrative decision process.

SEC. 304. FEDERAL ADVISORY COMMITTEE ACT REQUIREMENTS.

Except as may be provided in this title, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee.

SEC. 305. TERMINATION OF ADVISORY COMMITTEE.

The Advisory Committee shall terminate 3 years after the date of the enactment of this Act.

SEC. 306. SENSE OF THE CONGRESS REGARDING ADVISORY COMMITTEE RECOMMENDATIONS.

It is the sense of the Congress that the payments to eligible States and eligible counties required by title I should be replaced by a long-term solution to generate payments conforming to the guidance provided by section 303(b) and that any promulgation of regulations or enactment of legislation to establish such method should be completed within 2 years after the date of submission of the final report required by section 303(a).

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

There are hereby authorized to be appropriated such sums as are necessary to carry out this Act.

SEC. 402. TREATMENT OF FUNDS AND REVENUES.

Funds appropriated pursuant to the authorization of appropriations in section 401, funds transferred to a Secretary concerned under section 206, and revenues described in section 208(a) shall be in addition to any other annual appropriations for the Forest Service and the Bureau of Land Management.

SEC. 403. CONFORMING AMENDMENTS.

Section 6903(a)(1) of title 31, United States Code, is amended—

(1) by redesignating subparagraphs (D) through (J) as subparagraphs (E) through (K), respectively; and

(2) by inserting after subparagraph (C) the following new subparagraph:

“(D) the Secure Rural Schools and Community Self-Determination Act of 1999;”.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. PEASE, announced that the yeas had it.

Mr. GOODLATTE demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 274 affirmative } Nays 153

¶125.16

[Roll No. 560] AYES—274

Table listing names of members of the House of Representatives, including Aderholt, Allen, Archer, Arney, Bachus, Baird, Baker, Baldacci, Ballenger, Barcia, Barr, Barrett (NE), Bartlett, Barton, Bass, Bateman, Bentsen, Berry, Biggart, Bilirakis, Bishop, Biley, Blumenauer, Blunt, Boehlert, Boehner, Bonilla, Bono, Boswell, Boucher, Boyd, Brady (TX), Bryant, Burr, Burton, Buyer, Callahan, Calvert, Camp, Campbell, Canady, Cannon, Chabot, Chambliss, Chenoweth-Hage, Clayton, Clement, Coble, Collins, Combust, Condit, Cook, Cooksey, Costello, Cox, Cramer, Cubin, Cunningham, Danner, Davis (FL), Davis (VA), Deal, DeFazio, DeLay, DeMint, Diaz-Balart, Dickey, Dicks, Dingell, Dooley, Doolittle, Doyle, Dreier, Duncan, Dunn, Edwards, Ehrlich, Emerson, English, Etheridge, Everett, Ewing, Fletcher, Foley, Ford, Fossella, Fowler, Frost, Gallegly, Ganske, Gekas, Gibbons, Gilchrest, Gillmor, Goode, Goodlatte, Goodling, Gordon, Goss, Graham, Granger, Green (TX), Green (WI), Greenwood, Gutierrez, Gutknecht, Hall (OH), Hall (TX), Hansen, Hastings (WA), Hayes, Hayworth, Hefley, Herger, Hill (IN), Hill (MT), Hillery, Hilliard, Hinojosa, Hobson, Hoekstra, Hooley, Horn, Hostettler, Houghton, Hoyer, Hunter, Hutchinson, Hyde, Isakson, Istook, Jackson-Lee, Jenkins, John, Johnson (CT), Johnson, E. B., Johnson, Sam, Jones (NC), Kasich, Kind (WI), King (NY), Kingston, Klink, Knollenberg, Kuykendall, LaHood, Lampson, Latham, LaTourette, Leach, Levin, Lewis (CA), Lewis (KY), Linder, Lipinski, Lucas (KY), Lucas (OK), Manzullo, Martinez, Mascara, McCollum, McCrery, McHugh, McInnis, McIntosh, McIntyre, McKeon, Metcalf, Mica, Miller, Gary, Mollohan, Moore, Moran (KS), Morella, Murtha, Myrick, Napolitano, Nethercutt, Ney, Northup, Norwood, Nussle, Ortiz, Ose, Oxley, Packard, Pease, Peterson (MN), Peterson (PA), Petri, Phelps, Pickering, Pickett, Pitts, Pombo, Pomeroy, Price (NC), Pryce (OH), Quinn, Radanovich, Rahall, Reyes, Reynolds, Riley, Rodriguez, Roemer, Rogan, Rogers, Rohrabacher, Ros-Lehtinen, Rothman, Royce, Ryan (KS), Salmon, Sanchez, Sandlin, Schaffer, Sensenbrenner, Sessions, Shadegg, Shaw, Sherwood, Shimkus, Shows, Shuster, Simpson, Sisisky, Skeen, Skelton, Smith (MI), Smith (TX), Snyder, Souder, Spence, Spratt, Stenholm, Strickland, Stump, Stupak

Table listing names of members of the House of Representatives, including Sweeney, Talent, Tancredo, Tanner, Tauzin, Taylor (MS), Taylor (NC), Terry, Thomas, Thompson (CA), Thornberry, Thune, Thurman, Tiahrt, Traficant, Turner, Udall (NM), Velazquez, Visclosky, Vitter, Walden, Walsh, Watkins, Watt (NC), Watts (OK), Weldon (FL), Weller, Whitfield, Wicker, Wilson, Wise, Wolf, Wu, Young (AK), Young (FL)

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Table listing names of members of the House of Representatives, including Abercrombie, Ackerman, Andrews, Baldwin, Barrett (WI), Becerra, Berkley, Berman, Bilbray, Blagojevich, Bonior, Borski, Brady (PA), Brown (FL), Brown (OH), Capps, Capuano, Cardin, Carson, Castle, Clay, Clyburn, Coburn, Conyers, Coyne, Crane, Crowley, Cummings, Davis (IL), DeGette, Delahunt, DeLauro, Deutsch, Dixon, Doggett, Ehlers, Engel, Eshoo, Evans, Farr, Fattah, Filner, Forbes, Frank (MA), Franks (NJ), Frelinghuysen, Gejdenson, Gephardt, Gilman, Gonzalez, Hastings (FL), Hinchey, Hoeffel, Holden, Holt, Inslee, Jackson (IL), Jefferson, Jones (OH), Kanjorski, Kaptur, Kelly, Kennedy, Kildee, Kleczka, Kolbe, Kucinich, LaFalce, Lantos, Largent, Larson, Lazio, Lee, Lewis (GA), LoBiondo, Lofgren, Lowey, Luther, Maloney (CT), Maloney (NY), Markey, Matsui, McCarthy (MO), McCarthy (NY), McDermott, McGovern, McKinney, McNulty, Meehan, Meek (FL), Meeke (NY), Menendez, Millender-McDonald, Miller (FL), Miller, George, Minge, Mink, Moakley, Moran (VA), Nadler, Neal, Oberstar, Obey, Olver, Owens, Pallone, Pascrell, Pastor, Paul, Payne, Pelosi, Porter, Portman, Ramstad, Rangel, Regula, Rivers, Roukema, Roybal-Allard, Rush, Sabo, Sanders, Sanford, Sawyer, Saxton, Schakowsky, Scott, Serrano, Shays, Sherman, Slaughter, Smith (NJ), Smith (WA), Stabenow, Stark, Stearns, Sununu, Tauscher, Thompson (MS), Tierney, Toomey, Towns, Udall (CO), Upton, Vento, Wamp, Waters, Waxman, Weiner, Wexler, Weygand, Woolsey, Wynn

NOT VOTING—6

Table listing names of members of the House of Representatives, including Bereuter, Hulshof, Kilpatrick, Ryan (WI), Scarborough, Weldon (PA)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶125.17 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. GOODLATTE, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to correct section numbers, cross references, citations, and punctuation, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill.