

U.S.C. 1857) were incorporated into and made a part of this chapter. Any person that violates any provision of this chapter is subject to the penalties and entitled to the privileges and immunities provided in the Magnuson-Stevens Fishery Conservation and Management Act [16 U.S.C. 1801 et seq.] in the same manner, by the same means, and with the same jurisdiction, power, and duties as though all applicable terms and provisions of that Act were incorporated into and made a part of this chapter.

**(d) Penalties**

This chapter shall be enforced by the Secretary as if a violation of this chapter or of any regulation promulgated by the Secretary under this chapter were a violation of section 307 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857).

(Pub. L. 109-479, title VI, §610, Jan. 12, 2007, 120 Stat. 3648.)

REFERENCES IN TEXT

The Magnuson-Stevens Fishery Conservation and Management Act, referred to in subsec. (c), is Pub. L. 94-265, Apr. 13, 1976, 90 Stat. 331, which is classified principally to chapter 38 (§1801 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1801 of this title and Tables.

**§ 7010. Authorization of appropriations**

There are authorized to be appropriated to the Secretary such sums as may be necessary to carry out the obligations of the United States under the Agreement and this chapter.

(Pub. L. 109-479, title VI, §611, Jan. 12, 2007, 120 Stat. 3649.)

**CHAPTER 90—SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION**

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**§ 7101. Purposes**

The purposes of this chapter are—

(1) to stabilize and transition payments to counties to provide funding for schools and roads that supplements other available funds;

(2) to make additional investments in, and create additional employment opportunities through, projects that—

(A)(i) improve the maintenance of existing infrastructure;

(ii) implement stewardship objectives that enhance forest ecosystems; and

(iii) restore and improve land health and water quality;

(B) enjoy broad-based support; and

(C) have objectives that may include—

(i) road, trail, and infrastructure maintenance or obliteration;

(ii) soil productivity improvement;

(iii) improvements in forest ecosystem health;

(iv) watershed restoration and maintenance;

(v) the restoration, maintenance, and improvement of wildlife and fish habitat;

(vi) the control of noxious and exotic weeds; and

(vii) the reestablishment of native species; and

(3) to improve cooperative relationships among—

(A) the people that use and care for Federal land; and

(B) the agencies that manage the Federal land.

(Pub. L. 106-393, §2, as added Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3893.)

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 below and Tables.

PRIOR PROVISIONS

A prior section 2 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.

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 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 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.).

**(11) Full funding amount**

The term “full funding amount” means—

- (A) \$500,000,000 for fiscal year 2008; and
- (B) for fiscal year 2009 and each fiscal year thereafter, the amount that is equal to 90 percent of the full funding amount for the preceding fiscal year.

**(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.

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

**(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.)

## 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 1181f of Title 43 and repealed section 1174 of Title 43. For complete classification of this Act to the Code, see Tables.

The Act of May 24, 1939, referred to in par. (10), is act May 24, 1939, ch. 144, 53 Stat. 753, which enacted 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. 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

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

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

## SUBCHAPTER I—SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LAND

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

For each of fiscal years 2008 through 2011, 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 2011, 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.

(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.)

## 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.

**§ 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—

- (1) a State or territory of the United States an amount equal to the sum of the amounts elected under subsection (b) by each county within the State or territory for—

- (A) if the county is eligible for the 25-percent payment, the share of the 25-percent payment; or
- (B) the share of the State payment of the eligible county; and

- (2) a county an amount equal to the amount elected under subsection (b) by each county for—

- (A) if the county is eligible for the 50-percent payment, the 50-percent payment; or
- (B) the county payment for the eligible county.

**(b) Election to receive payment amount****(1) Election; submission of results****(A) In general**

The election to receive a share of the State payment, the county payment, a share of the State payment and the county payment, a share of the 25-percent payment, the 50-percent payment, or a share of the 25-percent payment and the 50-percent payment, as applicable, shall be made at the discretion

of each affected county by August 1, 2008 (or as soon thereafter as the Secretary concerned determines is practicable), and August 1 of each second fiscal year thereafter, in accordance with paragraph (2), and transmitted to the Secretary concerned by the Governor of each eligible State.

**(B) Failure to transmit**

If an election for an affected county is not transmitted to the Secretary concerned by the date specified under subparagraph (A), the affected county shall be considered to have elected to receive a share of the State payment, the county payment, or a share of the State payment and the county payment, as applicable.

**(2) Duration of election**

**(A) In general**

A county election to receive a share of the 25-percent payment or 50-percent payment, as applicable, shall be effective for 2 fiscal years.

**(B) Full funding amount**

If a county elects to receive a share of the State payment or the county payment, the election shall be effective for all subsequent fiscal years through fiscal year 2011.

**(3) Source of payment amounts**

The payment to an eligible State or eligible county under this section for a fiscal year shall be derived from—

- (A) any amounts that are appropriated to carry out this chapter;
- (B) any revenues, fees, penalties, or miscellaneous receipts, exclusive of deposits to any relevant trust fund, special account, or permanent operating funds, received by the Federal Government from activities by the Bureau of Land Management or the Forest Service on the applicable Federal land; and
- (C) to the extent of any shortfall, out of any amounts in the Treasury of the United States not otherwise appropriated.

**(c) Distribution and expenditure of payments**

**(1) Distribution method**

A State that receives a payment under subsection (a) for Federal land described in section 7102(7)(A) of this title shall distribute the appropriate payment amount among the appropriate counties in the State in accordance with—

- (A) the Act of May 23, 1908 (16 U.S.C. 500); and
- (B) section 13 of the Act of March 1, 1911 (36 Stat. 963; 16 U.S.C. 500).

**(2) Expenditure purposes**

Subject to subsection (d), payments received by a State under subsection (a) and distributed to counties in accordance with paragraph (1) shall be expended as required by the laws referred to in paragraph (1).

**(d) Expenditure rules for eligible counties**

**(1) Allocations**

**(A) Use of portion in same manner as 25-percent payment or 50-percent payment, as applicable**

Except as provided in paragraph (3)(B), if an eligible county elects to receive its share

of the State payment or the county payment, not less than 80 percent, but not more than 85 percent, of the funds shall be expended in the same manner in which the 25-percent payments or 50-percent payment, as applicable, are required to be expended.

**(B) Election as to use of balance**

Except as provided in subparagraph (C), an eligible county shall elect to do 1 or more of the following with the balance of any funds not expended pursuant to subparagraph (A):

- (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)<sup>1</sup> (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)<sup>1</sup> (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)<sup>1</sup> (as in ef-

fect on September 29, 2006) for the eligible counties in the covered State that have elected under section 7112(b) of this title to receive a share of the State payment for fiscal year 2009; and

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

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

(i) the sum of the amounts paid for fiscal year 2006 under section 102(a)(2)<sup>1</sup> (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)<sup>1</sup> (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)<sup>1</sup> (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.)

<sup>1</sup> See References in Text note below.

## 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 implementing cooperative agreements with willing Federal agencies, State and local governments, private and nonprofit entities, and landowners for protection, restoration, and enhancement of fish and wildlife habitat, and other resource objectives consistent with the purposes of this chapter on Federal land and on non-Federal land where projects would benefit the resources on Federal land.

(Pub. L. 106-393, title II, §202, as added Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3901.)

## REFERENCES IN TEXT

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

## PRIOR PROVISIONS

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

**§ 7123. Submission of project proposals****(a) Submission of project proposals to Secretary concerned****(1) Projects funded using project funds**

Not later than September 30 for fiscal year 2008 (or as soon thereafter as the Secretary concerned determines is practicable), and each September 30 thereafter for each succeeding fiscal year through fiscal year 2011, each resource advisory committee shall submit to the Secretary concerned a description of any projects that the resource advisory committee proposes the Secretary undertake using any project funds reserved by eligible counties in the area in which the resource advisory committee has geographic jurisdiction.

**(2) Projects funded using other funds**

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

**(3) Joint projects**

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

**(b) Required description of projects**

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

(1) The purpose of the project and a description of how the project will meet the purposes of this subchapter.

(2) The anticipated duration of the project.

(3) The anticipated cost of the project.

(4) The proposed source of funding for the project, whether project funds or other funds.

(5)(A) Expected outcomes, including how the project will meet or exceed desired ecological conditions, maintenance objectives, or stewardship objectives.

(B) An estimate of the amount of any timber, forage, and other commodities and other economic activity, including jobs generated, if any, anticipated as part of the project.

(6) A detailed monitoring plan, including funding needs and sources, that—

(A) tracks and identifies the positive or negative impacts of the project, implementation,<sup>1</sup> and provides for validation monitoring; and

(B) includes an assessment of the following:

(i) Whether or not the project met or exceeded desired ecological conditions; created local employment or training opportunities, including summer youth jobs programs such as the Youth Conservation Corps where appropriate.

(ii) Whether the project improved the use of, or added value to, any products removed from land consistent with the purposes of this subchapter.

(7) An assessment that the project is to be in the public interest.

**(c) Authorized projects**

Projects proposed under subsection (a) shall be consistent with section 7101 of this title.

(Pub. L. 106-393, title II, § 203, as added Pub. L. 110-343, div. C, title VI, § 601(a), Oct. 3, 2008, 122 Stat. 3901.)

**PRIOR PROVISIONS**

A prior section 203 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.

**§ 7124. 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 resource advisory committee under section 7123 of this title only if the proposed project satisfies each of the following conditions:

(1) The project complies with all applicable Federal laws (including regulations).

(2) The project is consistent with the applicable resource management plan and with any watershed or subsequent plan developed pursu-

ant to the resource management plan and approved by the Secretary concerned.

(3) The project has been approved by the resource advisory committee in accordance with section 7125 of this title, including the procedures issued under subsection (e) of that section.

(4) A project description has been submitted by the resource advisory committee to the Secretary concerned in accordance with section 7123 of this title.

(5) The project will improve the maintenance of existing infrastructure, implement stewardship objectives that enhance forest ecosystems, and restore and improve land health and water quality.

**(b) Environmental reviews****(1) Request for payment by county**

The Secretary concerned may request the resource advisory committee submitting a proposed project to agree to the use of project funds to pay for any environmental review, consultation, or compliance with applicable environmental laws required in connection with the project.

**(2) Conduct of environmental review**

If a payment is requested under paragraph (1) and the resource advisory committee agrees to the expenditure of funds for this purpose, the Secretary concerned shall conduct environmental review, consultation, or other compliance responsibilities in accordance with Federal laws (including regulations).

**(3) Effect of refusal to pay****(A) In general**

If a resource advisory committee does not agree to the expenditure of funds under paragraph (1), the project shall be deemed withdrawn from further consideration by the Secretary concerned pursuant to this subchapter.

**(B) Effect of withdrawal**

A withdrawal under subparagraph (A) shall be deemed to be a rejection of the project for purposes of section 7127(c) of this title.

**(c) Decisions of Secretary concerned****(1) Rejection of projects****(A) In general**

A decision by the Secretary concerned to reject a proposed project shall be at the sole discretion of the Secretary concerned.

**(B) No administrative appeal or judicial review**

Notwithstanding any other provision of law, a decision by the Secretary concerned to reject a proposed project shall not be subject to administrative appeal or judicial review.

**(C) Notice of rejection**

Not later than 30 days after the date on which the Secretary concerned makes the rejection decision, the Secretary concerned shall notify in writing the resource advisory committee that submitted the proposed project of the rejection and the reasons for rejection.

<sup>1</sup> So in original.

**(2) Notice of project approval**

The Secretary concerned shall publish in the Federal Register notice of each project approved under subsection (a) if the notice would be required had the project originated with the Secretary.

**(d) Source and conduct of project**

Once the Secretary concerned accepts a project for review under section 7123 of this title, the acceptance shall be deemed a Federal action for all purposes.

**(e) Implementation of approved projects****(1) Cooperation**

Notwithstanding chapter 63 of title 31, using project funds the Secretary concerned may enter into contracts, grants, 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.

**(2) Best value contracting****(A) In general**

For any project involving a contract authorized by paragraph (1) the Secretary concerned may elect a source for performance of the contract on a best value basis.

**(B) Factors**

The Secretary concerned shall determine best value based on such factors as—

- (i) the technical demands and complexity of the work to be done;
- (ii)(I) the ecological objectives of the project; and  
(II) the sensitivity of the resources being treated;
- (iii) 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; and
- (iv) the commitment of the contractor to hiring highly qualified workers and local residents.

**(3) Merchantable timber contracting pilot program****(A) Establishment**

The Secretary concerned shall establish a pilot program to implement a certain percentage of approved projects involving the sale of merchantable timber using separate contracts for—

- (i) the harvesting or collection of merchantable timber; and
- (ii) the sale of the timber.

**(B) Annual percentages**

Under the pilot program, the Secretary concerned shall ensure that, on a nationwide basis, not less than the following percentage of all approved projects involving the sale of merchantable timber are implemented using separate contracts:

- (i) For fiscal year 2008, 35 percent.
- (ii) For fiscal year 2009, 45 percent.
- (iii) For each of fiscal years 2010 and 2011, 50 percent.

**(C) Inclusion in pilot program**

The decision whether to use separate contracts to implement a project involving the

sale of merchantable timber shall be made by the Secretary concerned after the approval of the project under this subchapter.

**(D) Assistance****(i) In general**

The Secretary concerned may use funds from any appropriated account available to the Secretary for the Federal land to assist in the administration of projects conducted under the pilot program.

**(ii) Maximum amount of assistance**

The total amount obligated under this subparagraph may not exceed \$1,000,000 for any fiscal year during which the pilot program is in effect.

**(E) Review and report****(i) Initial report**

Not later than September 30, 2010, the Comptroller General shall submit to the Committees on Agriculture, Nutrition, and Forestry and Energy and Natural Resources of the Senate and the Committees on Agriculture and Natural Resources of the House of Representatives a report assessing the pilot program.

**(ii) Annual report**

The Secretary concerned shall submit to the Committees on Agriculture, Nutrition, and Forestry and Energy and Natural Resources of the Senate and the Committees on Agriculture and Natural Resources of the House of Representatives an annual report describing the results of the pilot program.

**(f) Requirements for project funds**

The Secretary shall ensure that at least 50 percent of all project funds be used for projects that are primarily dedicated—

- (1) to road maintenance, decommissioning, or obliteration; or
- (2) to restoration of streams and watersheds.

(Pub. L. 106-393, title II, §204, as added Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3902.)

## PRIOR PROVISIONS

A prior section 204 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.

**§ 7125. Resource advisory committees****(a) Establishment and purpose of resource advisory committees****(1) Establishment**

The Secretary concerned shall establish and maintain resource advisory committees to perform the duties in subsection (b), except as provided in paragraph (4).

**(2) Purpose**

The purpose of a resource advisory committee shall be—

- (A) to improve collaborative relationships; and
- (B) to provide advice and recommendations to the land management agencies consistent with the purposes of this subchapter.

**(3) Access to resource advisory committees**

To ensure that each unit of Federal land has access to a resource advisory committee, and that there is sufficient interest in participation on a committee to ensure that membership can be balanced in terms of the points of view represented and the functions to be performed, the Secretary concerned may,<sup>1</sup> establish resource advisory committees for part of, or 1 or more, units of Federal land.

**(4) Existing advisory committees****(A) In general**

An advisory committee that meets the requirements of this section, a resource advisory committee established before September 29, 2006, or an advisory committee determined by the Secretary concerned before September 29, 2006, to meet the requirements of this section may be deemed by the Secretary concerned to be a resource advisory committee for the purposes of this subchapter.

**(B) Charter**

A charter for a committee described in subparagraph (A) that was filed on or before September 29, 2006, shall be considered to be filed for purposes of this chapter.

**(C) Bureau of land management advisory committees**

The Secretary of the Interior may deem a resource advisory committee meeting the requirements of subpart 1784 of part 1780 of title 43, Code of Federal Regulations, as a resource advisory committee for the purposes of this subchapter.

**(b) Duties**

A resource advisory committee shall—

(1) review projects proposed under this subchapter by participating counties and other persons;

(2) propose projects and funding to the Secretary concerned under section 7123 of this title;

(3) provide early and continuous coordination with appropriate land management agency officials in recommending projects consistent with purposes of this chapter under this subchapter;

(4) provide frequent opportunities for citizens, organizations, tribes, land management agencies, and other interested parties to participate openly and meaningfully, beginning at the early stages of the project development process under this subchapter;

(5)(A) monitor projects that have been approved under section 7124 of this title; and

(B) advise the designated Federal official on the progress of the monitoring efforts under subparagraph (A); and

(6) make recommendations to the Secretary concerned for any appropriate changes or adjustments to the projects being monitored by the resource advisory committee.

**(c) Appointment by the Secretary****(1) Appointment and term****(A) In general**

The Secretary concerned,<sup>1</sup> shall appoint the members of resource advisory committees for a term of 4 years beginning on the date of appointment.

**(B) Reappointment**

The Secretary concerned may reappoint members to subsequent 4-year terms.

**(2) Basic requirements**

The Secretary concerned shall ensure that each resource advisory committee established meets the requirements of subsection (d).

**(3) Initial appointment**

Not later than 180 days after October 3, 2008, the Secretary concerned shall make initial appointments to the resource advisory committees.

**(4) Vacancies**

The Secretary concerned shall make appointments to fill vacancies on any resource advisory committee as soon as practicable after the vacancy has occurred.

**(5) Compensation**

Members of the resource advisory committees shall not receive any compensation.

**(d) Composition of advisory committee****(1) Number**

Each resource advisory committee shall be comprised of 15 members.

**(2) Community interests represented**

Committee members shall be representative of the interests of the following 3 categories:

(A) 5 persons that—

(i) represent organized labor or non-timber forest product harvester groups;

(ii) represent developed outdoor recreation, off highway vehicle users, or commercial recreation activities;

(iii) represent—

(I) energy and mineral development interests; or

(II) commercial or recreational fishing interests;

(iv) represent the commercial timber industry; or

(v) hold Federal grazing or other land use permits, or represent nonindustrial private forest land owners, within the area for which the committee is organized.

(B) 5 persons that represent—

(i) nationally recognized environmental organizations;

(ii) regionally or locally recognized environmental organizations;

(iii) dispersed recreational activities;

(iv) archaeological and historical interests; or

(v) nationally or regionally recognized wild horse and burro interest groups, wildlife or hunting organizations, or watershed associations.

(C) 5 persons that—

<sup>1</sup> So in original. The comma probably should not appear.

- (i) hold State elected office (or a designee);
- (ii) hold county or local elected office;
- (iii) represent American Indian tribes within or adjacent to the area for which the committee is organized;
- (iv) are school officials or teachers; or
- (v) represent the affected public at large.

**(3) Balanced representation**

In appointing committee members from the 3 categories in paragraph (2), the Secretary concerned shall provide for balanced and broad representation from within each category.

**(4) Geographic distribution**

The members of a resource advisory committee shall reside within the State in which the committee has jurisdiction and, to extent<sup>2</sup> practicable, the Secretary concerned shall ensure local representation in each category in paragraph (2).

**(5) Chairperson**

A majority on each resource advisory committee shall select the chairperson of the committee.

**(e) Approval procedures**

**(1) In general**

Subject to paragraph (3), each resource advisory committee shall establish procedures for proposing projects to the Secretary concerned under this subchapter.

**(2) Quorum**

A quorum must be present to constitute an official meeting of the committee.

**(3) Approval by majority of members**

A project may be proposed by a resource advisory committee to the Secretary concerned under section 7123(a) of this title, if the project has been approved by a majority of members of the committee from each of the 3 categories in subsection (d)(2).

**(f) Other committee authorities and requirements**

**(1) Staff assistance**

A resource advisory committee may submit to the Secretary concerned a request for periodic staff assistance from Federal employees under the jurisdiction of the Secretary.

**(2) Meetings**

All meetings of a resource advisory committee shall be announced at least 1 week in advance in a local newspaper of record and shall be open to the public.

**(3) Records**

A resource advisory committee shall maintain records of the meetings of the committee and make the records available for public inspection.

(Pub. L. 106-393, title II, § 205, as added Pub. L. 110-343, div. C, title VI, § 601(a), Oct. 3, 2008, 122 Stat. 3905.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a)(4)(B) and (b)(3), was in the original “this Act”, meaning Pub. L.

<sup>2</sup> So in original. Probably should be preceded by “the”.

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.

CODIFICATION

October 3, 2008, referred to in subsec. (c)(3), was in the original “the date of enactment of this Act”, which was translated as meaning the date of enactment of Pub. L. 110-343, which enacted this section, to reflect the probable intent of Congress.

PRIOR PROVISIONS

A prior section 205 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.

**§ 7126. Use of project funds**

**(a) Agreement regarding schedule and cost of project**

**(1) Agreement between parties**

The Secretary concerned may carry out a project submitted by a resource advisory committee under section 7123(a) of this title using project funds or other funds described in section 7123(a)(2) of this title, if, as soon as practicable after the issuance of a decision document for the project and the exhaustion of all administrative appeals and judicial review of the project decision, the Secretary concerned and the resource advisory committee enter into an agreement addressing, at a minimum, the following:

(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 multiyear project, the estimated cost of the project for each of the fiscal years in which it will be carried out.

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

**(2) Limited use of Federal funds**

The Secretary concerned may decide, at the sole discretion of the Secretary concerned, 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, or other funds described in section 7123(a)(2) of this title, the Secretary concerned shall transfer to the applicable unit of National Forest System land or Bureau of Land Management District 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 using project funds, or other funds described in section 7123(a)(2) of this title; or

(B) in the case of a multiyear project, the amount specified in the agreement to be paid using project funds, or other funds described in section 7123(a)(2) of this title for the first fiscal year.

**(2) Condition on project commencement**

The unit of National Forest System land or Bureau of Land Management District concerned,<sup>1</sup> shall not commence a project until the project funds, or other funds described in section 7123(a)(2) of this title required to be transferred under paragraph (1) for the project, have been made available by the Secretary concerned.

**(3) Subsequent transfers for multiyear projects**

**(A) In general**

For the second and subsequent fiscal years of a multiyear project to be funded in whole or in part using project funds, the unit of National Forest System land or Bureau of Land Management District concerned shall use the amount of project funds required to continue the project in that fiscal year according to the agreement entered into under subsection (a).

**(B) Suspension of work**

The Secretary concerned shall suspend work on the project if the project funds required by the agreement in the second and subsequent fiscal years are not available.

(Pub. L. 106-393, title II, §206, as added Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3907.)

PRIOR PROVISIONS

A prior section 206 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.

**§ 7127. Availability of project funds**

**(a) Submission of proposed projects to obligate funds**

By September 30, 2008 (or as soon thereafter as the Secretary concerned determines is practicable), and each September 30 thereafter for each succeeding fiscal year through fiscal year 2011, a resource advisory committee shall submit to the Secretary concerned pursuant to section 7123(a)(1) of this title a sufficient number of project proposals that, if approved, would result in the obligation of at least the full amount of the project funds reserved by the participating county in the preceding fiscal year.

**(b) Use or transfer of unobligated funds**

Subject to section 7128 of this title, if a resource advisory committee fails to comply with subsection (a) for a fiscal year, any project funds reserved by the participating county in the preceding fiscal year and remaining unobligated shall be available for use as part of the project submissions in the next fiscal year.

**(c) Effect of rejection of projects**

Subject to section 7128 of this title, any project funds reserved by a participating county

in the preceding fiscal year 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 use as part of the project submissions in the next fiscal year.

**(d) Effect of court orders**

**(1) In general**

If an approved project under this chapter is enjoined or prohibited by a Federal court, the Secretary concerned shall return the unobligated project funds related to the project to the participating county or counties that reserved the funds.

**(2) Expenditure of funds**

The returned funds shall be available for the county to expend in the same manner as the funds reserved by the county under subparagraph (B) or (C)(i) of section 7112(d)(1) of this title.

(Pub. L. 106-393, title II, §207, as added Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3908.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (d)(1), 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 207 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.

**§ 7128. Termination of authority**

**(a) In general**

The authority to initiate projects under this subchapter shall terminate on September 30, 2011.

**(b) Deposits in Treasury**

Any project funds not obligated by September 30, 2012, shall be deposited in the Treasury of the United States.

(Pub. L. 106-393, title II, §208, as added Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3909.)

PRIOR PROVISIONS

A prior section 208 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 III—COUNTY FUNDS

**§ 7141. Definitions**

In this subchapter:

**(1) County funds**

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

**(2) Participating county**

The term “participating county” means an eligible county that elects under section

<sup>1</sup> So in original. The comma probably should not appear.

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.

(Pub. L. 106-393, title III, §301, as added Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3909.)

#### PRIOR PROVISIONS

A prior section 301 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.

### § 7142. Use

#### (a) Authorized uses

A participating county, including any applicable agencies of the participating county, shall use county funds, in accordance with this subchapter, only—

(1) to carry out activities under the Firewise Communities program to provide to homeowners in fire-sensitive ecosystems education on, and assistance with implementing, techniques in home siting, home construction, and home landscaping that can increase the protection of people and property from wildfires;

(2) to reimburse the participating county for search and rescue and other emergency services, including firefighting, that are—

(A) performed on Federal land after the date on which the use was approved under subsection (b);<sup>1</sup>

(B) paid for by the participating county; and

(3) to develop community wildfire protection plans in coordination with the appropriate Secretary concerned.

#### (b) Proposals

A participating county shall use county funds for a use described in subsection (a) only after a 45-day public comment period, at the beginning of which the participating county shall—

(1) publish in any publications of local record a proposal that describes the proposed use of the county funds; and

(2) submit the proposal to any resource advisory committee established under section 7125 of this title for the participating county.

(Pub. L. 106-393, title III, §302, as added Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3909.)

#### PRIOR PROVISIONS

A prior section 302 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.

### § 7143. Certification

#### (a) In general

Not later than February 1 of the year after the year in which any county funds were expended by a participating county, the appropriate official of the participating county shall submit to the Secretary concerned a certification that the county funds expended in the applicable year

have been used for the uses authorized under section 7142(a) of this title, including a description of the amounts expended and the uses for which the amounts were expended.

#### (b) Review

The Secretary concerned shall review the certifications submitted under subsection (a) as the Secretary concerned determines to be appropriate.

(Pub. L. 106-393, title III, §303, as added Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3910.)

#### PRIOR PROVISIONS

A prior section 303 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.

### § 7144. Termination of authority

#### (a) In general

The authority to initiate projects under this subchapter terminates on September 30, 2011.

#### (b) Availability

Any county funds not obligated by September 30, 2012, shall be returned to the Treasury of the United States.

(Pub. L. 106-393, title III, §304, as added Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3910.)

## SUBCHAPTER IV—MISCELLANEOUS PROVISIONS

### § 7151. Regulations

The Secretary of Agriculture and the Secretary of the Interior shall issue regulations to carry out the purposes of this chapter.

(Pub. L. 106-393, title IV, §401, as added Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3910.)

#### 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.

#### PRIOR PROVISIONS

A prior section 401 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.

### § 7152. Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this chapter for each of fiscal years 2008 through 2011.

(Pub. L. 106-393, title IV, §402, as added Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3910.)

#### 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

<sup>1</sup> So in original. Probably should be followed by “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 402 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.

**§ 7153. Treatment of funds and revenues**

**(a) Relation to other appropriations**

Funds made available under section 7152 of this title and funds made available to a Secretary concerned under section 7126 of this title shall be in addition to any other annual appropriations for the Forest Service and the Bureau of Land Management.

**(b) Deposit of revenues and other funds**

All revenues generated from projects pursuant to subchapter II, including any interest accrued from the revenues, shall be deposited in the Treasury of the United States.

(Pub. L. 106-393, title IV, §403, as added Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3910.)

PRIOR PROVISIONS

A prior section 403 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.

**CHAPTER 91—NATIONAL LANDSCAPE CONSERVATION SYSTEM**

Sec.	
7201.	Definitions.
7202.	Establishment of the National Landscape Conservation System.
7203.	Authorization of appropriations.

**§ 7201. Definitions**

In this chapter:

**(1) Secretary**

The term “Secretary” means the Secretary of the Interior.

**(2) System**

The term “system” means the National Landscape Conservation System established by section 7202(a) of this title.

(Pub. L. 111-11, title II, §2001, Mar. 30, 2009, 123 Stat. 1094.)

**§ 7202. Establishment of the National Landscape Conservation System**

**(a) Establishment**

In order to conserve, protect, and restore nationally significant landscapes that have outstanding cultural, ecological, and scientific values for the benefit of current and future generations, there is established in the Bureau of Land Management the National Landscape Conservation System.

**(b) Components**

The system shall include each of the following areas administered by the Bureau of Land Management:

- (1) Each area that is designated as—
  - (A) a national monument;
  - (B) a national conservation area;
  - (C) a wilderness study area;
  - (D) a national scenic trail or national historic trail designated as a component of the National Trails System;
  - (E) a component of the National Wild and Scenic Rivers System; or
  - (F) a component of the National Wilderness Preservation System.

(2) Any area designated by Congress to be administered for conservation purposes, including—

- (A) the Steens Mountain Cooperative Management and Protection Area;
- (B) the Headwaters Forest Reserve;
- (C) the Yaquina Head Outstanding Natural Area;
- (D) public land within the California Desert Conservation Area administered by the Bureau of Land Management for conservation purposes; and
- (E) any additional area designated by Congress for inclusion in the system.

**(c) Management**

The Secretary shall manage the system—

(1) in accordance with any applicable law (including regulations) relating to any component of the system included under subsection (b); and

(2) in a manner that protects the values for which the components of the system were designated.

**(d) Effect**

**(1) In general**

Nothing in this chapter enhances, diminishes, or modifies any law or proclamation (including regulations relating to the law or proclamation) under which the components of the system described in subsection (b) were established or are managed, including—

- (A) the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 et seq.);
- (B) the Wilderness Act (16 U.S.C. 1131 et seq.);
- (C) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);
- (D) the National Trails System Act (16 U.S.C. 1241 et seq.); and
- (E) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

**(2) Fish and wildlife**

Nothing in this chapter shall be construed as affecting the authority, jurisdiction, or responsibility of the several States to manage, control, or regulate fish and resident wildlife under State law or regulations, including the regulation of hunting, fishing, trapping and recreational shooting on public land managed by the Bureau of Land Management. Nothing in this chapter shall be construed as limiting access for hunting, fishing, trapping, or recreational shooting.

(Pub. L. 111-11, title II, §2002, Mar. 30, 2009, 123 Stat. 1095.)

REFERENCES IN TEXT

The Alaska National Interest Lands Conservation Act, referred to in subsec. (d)(1)(A), is Pub. L. 96-487,