

106TH CONGRESS  
2D SESSION

# S. 1608

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## AN ACT

To provide 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 the benefit of public schools and roads and to enhance the health, diversity and productivity of Federal lands.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Secure Rural Schools and Community Self-Determina-  
6 tion Act of 2000”.

- 1 (b) Table of Contents.—The table of contents of this  
 2 Act is as follows:

- Sec. 1. Short title; table of contents.  
 Sec. 2. Findings and purpose.  
 Sec. 3. Definitions.  
 Sec. 4. Conforming amendment.

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

- Sec. 101. Determination of full payment amount for eligible States and coun-  
 ties.  
 Sec. 102. Payments to States from National 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—SPECIAL PROJECTS ON FEDERAL LANDS

- Sec. 201. Definitions.  
 Sec. 202. General limitation on use of project funds.  
 Sec. 203. Submission of project proposals.  
 Sec. 204. Evaluation and approval of projects by Secretary concerned.  
 Sec. 205. Resource advisory committees.  
 Sec. 206. Use of project funds.  
 Sec. 207. Availability of project funds.  
 Sec. 208. Allocation of proceeds.  
 Sec. 209. Termination of authority.

TITLE III—COUNTY PROJECTS

- Sec. 301. Definitions.  
 Sec. 302. Use of county funds.  
 Sec. 303. Termination of authority.

TITLE IV—MISCELLANEOUS PROVISIONS

- Sec. 401. Authorization of appropriations.  
 Sec. 402. Treatment of funds and revenues.  
 Sec. 403. Regulations.  
 Sec. 404. Conforming amendments.

TITLE V—THE MINERAL REVENUE PAYMENTS CLARIFICATION  
 ACT OF 2000

- Sec. 501. Short title.  
 Sec. 502. Findings.  
 Sec. 503. Amendment of the Mineral Leasing Act.

3 **SEC. 2. FINDINGS AND PURPOSE.**

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

1           (1) The National Forest System, which is man-  
2           aged by the United States Forest Service, was estab-  
3           lished in 1907 and has grown to include approxi-  
4           mately 192,000,000 acres of Federal lands.

5           (2) The public domain lands known as revested  
6           Oregon and California Railroad grant lands and the  
7           reconveyed Coos Bay Wagon Road grant lands,  
8           which are managed predominantly by the Bureau of  
9           Land Management were returned to Federal owner-  
10          ship in 1916 and 1919 and now comprise approxi-  
11          mately 2,600,000 acres of Federal lands.

12          (3) Congress recognized that, by its decision to  
13          secure these lands in Federal ownership, the coun-  
14          ties in which these lands are situated would be de-  
15          prived of revenues they would otherwise receive if  
16          the lands were held in private ownership.

17          (4) These same counties have expended public  
18          funds year after year to provide services, such as  
19          education, road construction and maintenance,  
20          search and rescue, law enforcement, waste removal,  
21          and fire protection, that directly benefit these Fed-  
22          eral lands and people who use these lands.

23          (5) To accord a measure of compensation to the  
24          affected counties for the critical services they provide  
25          to both county residents and visitors to these Fed-

1       eral lands, Congress determined that the Federal  
2       Government should share with these counties a por-  
3       tion of the revenues the United States receives from  
4       these Federal lands.

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

11              (7) Congress enacted in 1937 and subsequently  
12      amended a law that requires that 75 percent of the  
13      revenues derived from the revested and reconveyed  
14      grant lands be paid to the counties in which those  
15      lands are situated to be used as are other county  
16      funds, of which 50 percent is to be used as other  
17      county funds.

18              (8) For several decades primarily due to the  
19      growth of the Federal timber sale program, counties  
20      dependent on and supportive of these Federal lands  
21      received and relied on increasing shares of these rev-  
22      enues to provide funding for schools and road main-  
23      tenance.

24              (9) In recent years, the principal source of  
25      these revenues, Federal timber sales, has been

1 sharply curtailed and, as the volume of timber sold  
2 annually from most of the Federal lands has de-  
3 creased precipitously, so too have the revenues  
4 shared with the affected counties.

5 (10) This decline in shared revenues has af-  
6 fected educational funding and road maintenance for  
7 many counties.

8 (11) In the Omnibus Budget Reconciliation Act  
9 of 1993, Congress recognized this trend and amelio-  
10 rated its adverse consequences by providing an alter-  
11 native annual safety net payment to 72 counties in  
12 Oregon, Washington, and northern California in  
13 which Federal timber sales had been restricted or  
14 prohibited by administrative and judicial decisions to  
15 protect the northern spotted owl.

16 (12) The authority for these particular safety  
17 net payments is expiring and no comparable author-  
18 ity has been granted for alternative payments to  
19 counties elsewhere in the United States that have  
20 suffered similar losses in shared revenues from the  
21 Federal lands and in the funding for schools and  
22 roads those revenues provide.

23 (13) There is a need to stabilize education and  
24 road maintenance funding through predicable pay-  
25 ments to the affected counties, job creation in those

1 counties, and other opportunities associated with  
2 restoration, maintenance, and stewardship of Fed-  
3 eral lands.

4 (14) Both the Forest Service and the Bureau of  
5 Land Management face significant backlogs in infra-  
6 structure maintenance and ecosystem restoration  
7 that are difficult to address through annual appro-  
8 priations.

9 (15) There is a need to build new, and  
10 strengthen existing, relationships and to improve  
11 management of public lands and waters.

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

13 (1) to stabilize and make permanent payments  
14 to counties to provide funding for schools and roads;

15 (2) to make additional investments in, and cre-  
16 ate additional employment opportunities through,  
17 projects that improve the maintenance of existing in-  
18 frastructure, implement stewardship objectives that  
19 enhance forest ecosystems, and restore and improve  
20 land health and water quality. Such projects shall  
21 enjoy broad-based support with objectives that may  
22 include, but are not limited to—

23 (A) road, trail, and infrastructure mainte-  
24 nance or obliteration;

25 (B) soil productivity improvement;

1 (C) improvements in forest ecosystem  
2 health;

3 (D) watershed restoration and mainte-  
4 nance;

5 (E) restoration, maintenance and improve-  
6 ment of wildlife and fish habitat;

7 (F) control of noxious and exotic weeds;  
8 and

9 (G) reestablishment of native species; and

10 (3) to improve cooperative relationships among  
11 the people that use and care for Federal lands and  
12 the agencies that manage these lands.

13 **SEC. 3. DEFINITIONS.**

14 In this Act:

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

17 (A) lands within the National Forest Sys-  
18 tem, as defined in section 11(a) of the Forest  
19 and Rangeland Renewable Resources Planning  
20 Act of 1974 (16 U.S.C. 1609(a)) exclusive of  
21 the National Grasslands and land utilization  
22 projects designated as National Grasslands ad-  
23 ministered pursuant to the Act of July 22,  
24 1937 (7 U.S.C. 1010–1012); and

1 (B) such portions of the revested Oregon  
2 and California Railroad and reconveyed Coos  
3 Bay Wagon Road grant lands as are or may  
4 hereafter come under the jurisdiction of the De-  
5 partment of the Interior, which have heretofore  
6 or may hereafter be classified as timberlands,  
7 and power-site lands valuable for timber, that  
8 shall be managed, except as provided in section  
9 1181c of title 43, United States Code, for per-  
10 manent forest production.

11 (2) ELIGIBILITY PERIOD.—The term “eligibility  
12 period” means fiscal year 1986 through fiscal year  
13 1999.

14 (3) ELIGIBLE COUNTY.—The term “eligible  
15 county” means a county that received 50-percent  
16 payments for one or more fiscal years of the eligi-  
17 bility period or a county that received a portion of  
18 an eligible State’s 25-percent payments for one or  
19 more fiscal years of the eligibility period. The term  
20 includes a county established after the date of the  
21 enactment of this Act so long as the county includes  
22 all or a portion of a county described in the pre-  
23 ceding sentence.

24 (4) ELIGIBLE STATE.—The term “eligible  
25 State” means a State that received 25-percent pay-

1       ments for one or more fiscal years of the eligibility  
2       period.

3           (5) FULL PAYMENT AMOUNT.—The term “full  
4       payment amount” means the amount calculated for  
5       each eligible State and eligible county under section  
6       101.

7           (6) 25-PERCENT PAYMENTS.—The term “25-  
8       percent payments” means the payments to States  
9       required by the sixth paragraph under the heading  
10      of “FOREST SERVICE” in the Act of May 23,  
11      1908 as amended (16 U.S.C. 500).

12          (7) 50-PERCENT PAYMENTS.—The term “50-  
13      percent payments” means the payments that are the  
14      sum of the 50-percent share otherwise paid to a  
15      county pursuant to title II of the Act of August 28,  
16      1937 (chapter 876; 50 Stat. 875; 43 U.S.C. 1181f),  
17      and the payment made to a county pursuant to the  
18      Act of May 24, 1939 (chapter 144; 53 Stat. 753; 43  
19      U.S.C. 1181f–1 et seq.).

20          (8) SAFETY NET PAYMENTS.—The term “safety  
21      net payments” means the special payment amounts  
22      paid to States and counties required by section  
23      13982 or 13983 of the Omnibus Budget Reconcili-  
24      ation Act of 1993 (Public Law 103–66; 16 U.S.C.  
25      500 note; 43 U.S.C. 1181f note).

1 **SEC. 4. CONFORMING AMENDMENT.**

2 Section 6903(a)(1)(C) of title 31, United States  
3 Code, is amended by adding after “(16 U.S.C. 500)” the  
4 following: “or the Secure Rural Schools and Community  
5 Self-Determination Act of 2000”.

6 **TITLE I—SECURE PAYMENTS**  
7 **FOR STATES AND COUNTIES**  
8 **CONTAINING FEDERAL**  
9 **LANDS**

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

12 (a) CALCULATION REQUIRED.—

13 (1) ELIGIBLE STATES.—For fiscal years 2001  
14 through 2006, the Secretary of the Treasury shall  
15 calculate for each eligible State that received a 25-  
16 percent payment during the eligibility period an  
17 amount equal to the average of the three highest 25-  
18 percent payments and safety net payments made to  
19 that eligible State for the fiscal years of the eligi-  
20 bility period.

21 (2) BUREAU OF LAND MANAGEMENT (BLM)  
22 COUNTIES.—For fiscal years 2001 through 2006,  
23 the Secretary of the Treasury shall calculate for  
24 each eligible county that received a 50-percent pay-  
25 ment during the eligibility period an amount equal  
26 to the average of the three highest 50-percent pay-

1       ments and safety net payments made to that eligible  
2       county for the fiscal years of the eligibility period.

3       (b) ANNUAL ADJUSTMENT.—For each fiscal year in  
4       which payments are required to be made to eligible States  
5       and eligible counties under this title, the Secretary of the  
6       Treasury shall adjust the full payment amount for the pre-  
7       vious fiscal year for each eligible State and eligible county  
8       to reflect 50 percent of the changes in the consumer price  
9       index for rural areas (as published in the Bureau of Labor  
10      Statistics) that occur after publication of that index for  
11      fiscal year 2000.

12      **SEC. 102. PAYMENTS TO STATES FROM NATIONAL FOREST**  
13                              **SYSTEM LANDS FOR USE BY COUNTIES TO**  
14                              **BENEFIT PUBLIC EDUCATION AND TRANS-**  
15                              **PORTATION.**

16      (a) PAYMENT AMOUNTS.—The Secretary of the  
17      Treasury shall pay an eligible State the sum of the  
18      amounts elected under subsection (b) by each eligible  
19      county for either—

20              (1) the 25-percent payment under the Act of  
21              May 23, 1908, as amended (16 U.S.C. 500), or

22              (2) the full payment amount in place of the 25-  
23              percent payment.

24      (b) ELECTION TO RECEIVE PAYMENT AMOUNT.—(1)  
25      The election to receive either the full payment amount or

1 the 25-percent payment shall be made at the discretion  
2 of each affected county and transmitted to the Secretary  
3 by the Governor of a State.

4 (2) A county election to receive the 25-percent pay-  
5 ment shall be effective for two fiscal years.

6 (3) When a county elects to receive the full payment  
7 amount, such election shall be effective for all the subse-  
8 quent fiscal years through fiscal year 2006.

9 (4) The payment to an eligible State under this sub-  
10 section for a fiscal year shall be derived from any reve-  
11 nues, fees, penalties, or miscellaneous receipts, exclusive  
12 of deposits to any relevant trust fund, or special accounts,  
13 received by the Federal Government from activities by the  
14 Forest Service on the Federal lands described in section  
15 3(1)(A) and to the extent of any shortfall, out of any  
16 funds in the Treasury not otherwise appropriated.

17 (c) DISTRIBUTION AND EXPENDITURE OF PAY-  
18 MENTS.—

19 (1) DISTRIBUTION METHOD.—A State that re-  
20 ceives a payment under subsection (b) shall dis-  
21 tribute the payment among all eligible counties in  
22 the State in accordance with the Act of May 23,  
23 1908, as amended.

24 (2) EXPENDITURE PURPOSES.—Subject to sub-  
25 section (d), payments received by a State under sub-

1 section (b) and distributed to eligible counties shall  
2 be expended as required by section 500 of title 16,  
3 United States Code.

4 (d) EXPENDITURE RULES FOR ELIGIBLE COUN-  
5 TIES.—

6 (1) IN GENERAL.—If an eligible county elects to  
7 receive its share of the full payment amount—

8 (A) not less than 80 percent but not more  
9 than 85 percent of the funds shall be expended  
10 in the same manner in which the 25-percent  
11 payments are required to be expended; and

12 (B) at the election of an eligible county,  
13 the balance of the funds not expended pursuant  
14 to subparagraph (A) shall—

15 (i) be reserved for projects in accord-  
16 ance with title II;

17 (ii) be spent in accordance with title  
18 III; or

19 (iii) be returned to the General Treas-  
20 ury in accordance with section 402(b).

21 (2) DISTRIBUTION OF FUNDS.—(A) Funds re-  
22 served by an eligible county under paragraph  
23 (1)(B)(i) shall be deposited in a special account in  
24 the Treasury of the United States and shall be avail-  
25 able for expenditure by the Secretary of Agriculture,

1 without further appropriation, and shall remain  
2 available until expended in accordance with title II.

3 (B) Funds reserved by an eligible county under  
4 paragraph (1)(B)(ii) shall be available for expendi-  
5 ture by the county and shall remain available, until  
6 expended, in accordance with title III.

7 (3) ELECTION.—

8 (A) IN GENERAL.—An eligible county shall  
9 notify the Secretary of Agriculture of its elec-  
10 tion under this subsection not later than Sep-  
11 tember 30 of each fiscal year. If the eligible  
12 county fails to make an election by that date,  
13 the county is deemed to have elected to expend  
14 85 percent of the funds to be received under  
15 subsection (b) in the same manner in which the  
16 25-percent payments are required to be ex-  
17 pended, and shall remit the balance to the  
18 Treasury of the United States in accordance  
19 with section 402(b).

20 (B) COUNTIES WITH MINOR DISTRIBUTIONS.—Notwithstanding any adjustment made  
21 pursuant to section 101 (b) in the case of each  
22 eligible county to which less than \$100,000 is  
23 distributed for any fiscal year pursuant to sub-  
24 section (b), the eligible county may elect to ex-  
25

1           pend all such funds in accordance with sub-  
2           section (c)(2).

3 **SEC. 103. PAYMENTS TO COUNTIES FROM BUREAU OF LAND**  
4                   **MANAGEMENT LANDS FOR USE TO BENEFIT**  
5                   **PUBLIC SAFETY, LAW ENFORCEMENT, EDU-**  
6                   **CATION, AND OTHER PUBLIC PURPOSES.**

7           (a) PAYMENT.—The Secretary of the Treasury shall  
8           pay an eligible county either—

9                   (1) the 50-percent payment under the Act of  
10           August 28, 1937, as amended (43 U.S.C. 1181f) or  
11           the Act of May 24, 1939 (43 U.S.C. 1181f–1) as ap-  
12           propriate, or

13                   (2) the full payment amount in place of the 50-  
14           percent payment.

15           (b) ELECTION TO RECEIVE PAYMENT AMOUNT.—(1)  
16           The election to receive the full payment amount shall be  
17           made at the discretion of the county. Once the election  
18           is made, it shall be effective for the fiscal year in which  
19           the election is made and all subsequent fiscal years  
20           through fiscal year 2006.

21                   (2) The payment to an eligible county under this sub-  
22           section for a fiscal year shall be derived from any reve-  
23           nues, fees, penalties, or miscellaneous receipts, exclusive  
24           of deposits to any relevant trust fund, or permanent oper-  
25           ating funds, received by the Federal Government from ac-

1 tivities by the Bureau of Land Management on the Fed-  
2 eral lands described in section 3(1)(B) and to the extent  
3 of any shortfall, out of any funds in the Treasury not oth-  
4 erwise appropriated.

5 (c) EXPENDITURE RULES FOR ELIGIBLE COUN-  
6 TIES.—

7 (1) IN GENERAL.—Of the funds to be paid to  
8 an eligible county pursuant to subsection (b)—

9 (A) not less than 80 percent but not more  
10 than 85 percent of the funds distributed to the  
11 eligible county shall be expended in the same  
12 manner in which the 50-percent payments are  
13 required to be expended; and

14 (B) at the election of an eligible county,  
15 the balance of the funds not expended pursuant  
16 to subparagraph (A) shall—

17 (i) be reserved for projects in accord-  
18 ance with title II;

19 (ii) be spent in accordance with title  
20 III; or

21 (iii) be returned to the General Treas-  
22 ury in accordance with section 402(b).

23 (2) DISTRIBUTION OF FUNDS.—(A) Funds re-  
24 served by an eligible county under paragraph  
25 (1)(B)(i) shall be deposited in a special account in

1 the Treasury of the United States and shall be avail-  
2 able for expenditure by the Secretary of the Interior,  
3 without further appropriation, and shall remain  
4 available until expended in accordance with title II.

5 (B) Funds reserved by an eligible county under  
6 paragraph (1)(B)(ii) shall be available for expendi-  
7 ture by the county and shall remain available, until  
8 expended, in accordance with title III.

9 (3) ELECTION.—An eligible county shall notify  
10 the Secretary of the Interior of its election under  
11 this subsection not later than September 30 of each  
12 fiscal year under subsection (b). If the eligible coun-  
13 ty fails to make an election by that date, the county  
14 is deemed to have elected to expend 85 percent of  
15 the funds received under subsection (b) in the same  
16 manner in which the 50-percent payments are re-  
17 quired to be expended and shall remit the balance to  
18 the Treasury of the United States in accordance  
19 with section 402(b).

## 20 **TITLE II—SPECIAL PROJECTS** 21 **ON FEDERAL LANDS**

### 22 **SEC. 201. DEFINITIONS.**

23 In this title:

24 (1) PARTICIPATING COUNTY.—The term “par-  
25 ticipating county” means an eligible county that—

1 (A) receives Federal funds pursuant to sec-  
2 tion 102(b)(1) or 103(b)(1); and

3 (B) elects under section 102(d)(1)(B)(i) or  
4 103(c)(1)(B)(i) to expend a portion of those  
5 funds in accordance with this title.

6 (2) PROJECT FUNDS.—The term “project  
7 funds” means all funds an eligible county elects  
8 under sections 102(d)(1)(B)(i) and 103(c)(1)(B)(i)  
9 to reserve for expenditure in accordance with this  
10 title.

11 (3) RESOURCE ADVISORY COMMITTEE.—The  
12 term “resource advisory committee” means an advi-  
13 sory committee established by the Secretary con-  
14 cerned under section 205, or determined by the Sec-  
15 retary concerned to meet the requirements of section  
16 205.

17 (4) RESOURCE MANAGEMENT PLAN.—The term  
18 “resource management plan” means a land use plan  
19 prepared by the Bureau of Land Management for  
20 units of the Federal lands described in section  
21 3(1)(B) pursuant to section 202 of the Federal  
22 Land Policy and Management Act of 1976 (43  
23 U.S.C. 1712) or a land and resource management  
24 plan prepared by the Forest Service for units of the  
25 National Forest System pursuant to section 6 of the

1 Forest and Rangeland Renewable Resources Plan-  
2 ning Act of 1974 (16 U.S.C. 1604).

3 (5) SECRETARY CONCERNED.—The term “Sec-  
4 retary concerned” means the Secretary of the Inte-  
5 rior or his designee with respect to the Federal lands  
6 described in section 3(1)(B) and the Secretary of  
7 Agriculture or his designee with respect to the Fed-  
8 eral lands described in section 3(1)(A).

9 **SEC. 202. GENERAL LIMITATION ON USE OF PROJECT**  
10 **FUNDS.**

11 Project funds shall be expended solely on projects  
12 that meet the requirements of this title. Project funds may  
13 be used by the Secretary concerned for the purpose of en-  
14 tering into and implementing cooperative agreements with  
15 willing Federal agencies, State and local governments, pri-  
16 vate and nonprofit entities, and landowners for protection,  
17 restoration and enhancement of fish and wildlife habitat,  
18 and other resource objectives consistent with the purposes  
19 of this title on Federal land and on non-Federal land  
20 where projects would benefit these resources on Federal  
21 land.

22 **SEC. 203. SUBMISSION OF PROJECT PROPOSALS.**

23 (a) SUBMISSION OF PROJECT PROPOSALS TO SEC-  
24 RETARY CONCERNED.—

1           (1) PROJECTS FUNDED USING PROJECT  
2 FUNDS.—Not later than September 30 for fiscal  
3 year 2001, and each September 30 thereafter for  
4 each succeeding fiscal year through fiscal year 2006,  
5 each resource advisory committee shall submit to the  
6 Secretary concerned a description of any projects  
7 that the resource advisory committee proposes the  
8 Secretary undertake using any project funds re-  
9 served.

10           (2) PROJECTS FUNDED USING OTHER  
11 FUNDS.—A resource advisory committee may submit  
12 to the Secretary concerned a description of any  
13 projects that the committee proposes the Secretary  
14 undertake using funds from State or local govern-  
15 ments, or from the private sector, other than project  
16 funds and funds appropriated and otherwise avail-  
17 able to do similar work.

18           (3) JOINT PROJECTS.—Participating counties  
19 or other persons may propose to pool project funds  
20 or other funds, described in paragraph (2), and  
21 jointly propose a project or group of projects to a re-  
22 source advisory committee established under section  
23 205.

24           (b) REQUIRED DESCRIPTION OF PROJECTS.—In sub-  
25 mitting proposed projects to the Secretary concerned

1 under subsection (a), a resource advisory committee shall  
2 include in the description of each proposed project the fol-  
3 lowing information:

4           (1) The purpose of the project and a descrip-  
5           tion of how the project will meet the purposes of this  
6           Act.

7           (2) The anticipated duration of the project.

8           (3) The anticipated cost of the project.

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

11          (5) Expected outcomes, including how the  
12          project will meet or exceed desired ecological condi-  
13          tions, maintenance objectives, or stewardship objec-  
14          tives, as well as an estimation of the amount of any  
15          timber, forage, and other commodities and other eco-  
16          nomic activity, including jobs generated, if any, an-  
17          ticipated as part of the project.

18          (6) A detailed monitoring plan, including fund-  
19          ing needs and sources, that tracks and identifies the  
20          positive or negative impacts of the project, imple-  
21          mentation, and provides for validation monitoring.  
22          The monitoring plan shall include an assessment of  
23          the following: Whether or not the project met or ex-  
24          ceeded desired ecological conditions; created local  
25          employment or training opportunities, including

1 summer youth jobs programs such as the Youth  
2 Conservation Corps where appropriate; and whether  
3 the project improved the use of, or added value to,  
4 any products removed from lands consistent with the  
5 purposes of this Act.

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

8 (c) AUTHORIZED PROJECTS.—Projects proposed  
9 under subsection (a) shall be consistent with section 2(b).

10 **SEC. 204. EVALUATION AND APPROVAL OF PROJECTS BY**  
11 **SECRETARY CONCERNED.**

12 (a) CONDITIONS FOR APPROVAL OF PROPOSED  
13 PROJECT.—The Secretary concerned may make a decision  
14 to approve a project submitted by a resource advisory com-  
15 mittee under section 203 only if the proposed project satis-  
16 fies each of the following conditions:

17 (1) The project complies with all applicable  
18 Federal laws and regulations.

19 (2) The project is consistent with the applicable  
20 resource management plan and with any watershed  
21 or subsequent plan developed pursuant to the re-  
22 source management plan and approved by the Sec-  
23 retary concerned.

24 (3) The project has been approved by the re-  
25 source advisory committee in accordance with sec-

1       tion 205, including the procedures issued under sub-  
2       section (e) of such section.

3           (4) A project description has been submitted by  
4       the resource advisory committee to the Secretary  
5       concerned in accordance with section 203.

6           (5) The project will improve the maintenance of  
7       existing infrastructure, implement stewardship objec-  
8       tives that enhance forest ecosystems, and restore  
9       and improve land health and water quality.

10       (b) ENVIRONMENTAL REVIEWS.—

11           (1) PAYMENT OF REVIEW COSTS.—

12           (A) REQUEST FOR PAYMENT BY COUN-  
13       TY.—The Secretary concerned may request the  
14       resource advisory committee submitting a pro-  
15       posed project to agree to the use of project  
16       funds to pay for any environmental review, con-  
17       sultation, or compliance with applicable environ-  
18       mental laws required in connection with the  
19       project. When such a payment is requested and  
20       the resource advisory committee agrees to the  
21       expenditure of funds for this purpose, the Sec-  
22       retary concerned shall conduct environmental  
23       review, consultation, or other compliance re-  
24       sponsibilities in accordance with Federal law  
25       and regulations.

1           (B) EFFECT OF REFUSAL TO PAY.—If a  
2           resource advisory committee does not agree to  
3           the expenditure of funds under subparagraph  
4           (A), the project shall be deemed withdrawn  
5           from further consideration by the Secretary  
6           concerned pursuant to this title. Such a with-  
7           drawal shall be deemed to be a rejection of the  
8           project for purposes of section 207(c).

9           (c) DECISIONS OF SECRETARY CONCERNED.—

10           (1) REJECTION OF PROJECTS.—A decision by  
11           the Secretary concerned to reject a proposed project  
12           shall be at the Secretary's sole discretion. Notwith-  
13           standing any other provision of law, a decision by  
14           the Secretary concerned to reject a proposed project  
15           shall not be subject to administrative appeal or judi-  
16           cial review. Within 30 days after making the rejec-  
17           tion decision, the Secretary concerned shall notify in  
18           writing the resource advisory committee that sub-  
19           mitted the proposed project of the rejection and the  
20           reasons for rejection.

21           (2) NOTICE OF PROJECT APPROVAL.—The Sec-  
22           retary concerned shall publish in the Federal Reg-  
23           ister notice of each project approved under sub-  
24           section (a) if such notice would be required had the  
25           project originated with the Secretary.

1 (d) SOURCE AND CONDUCT OF PROJECT.—Once the  
2 Secretary concerned accepts a project for review under  
3 section 203, it shall be deemed a Federal action for all  
4 purposes.

5 (e) IMPLEMENTATION OF APPROVED PROJECTS.—

6 (1) COOPERATION.—Notwithstanding chapter  
7 63 of title 31, United States Code, using project  
8 funds the Secretary concerned may enter into con-  
9 tracts, grants, and cooperative agreements with  
10 States and local governments, private and nonprofit  
11 entities, and landowners and other persons to assist  
12 the Secretary in carrying out an approved project.

13 (2) BEST VALUE CONTRACTING.—For any  
14 project involving a contract authorized by paragraph  
15 (1) the Secretary concerned may elect a source for  
16 performance of the contract on a best value basis.  
17 The Secretary concerned shall determine best value  
18 based on such factors as:

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

21 (B) The ecological objectives of the project  
22 and the sensitivity of the resources being treat-  
23 ed.

24 (C) The past experience by the contractor  
25 with the type of work being done, using the

1 type of equipment proposed for the project, and  
2 meeting or exceeding desired ecological condi-  
3 tions.

4 (D) The commitment of the contractor to  
5 hiring highly qualified workers and local resi-  
6 dents.

7 (3) MERCHANTABLE MATERIALS SALES CON-  
8 TRACTING PILOT PROJECTS.

9 (A) ESTABLISHMENT.—The Secretary con-  
10 cerned shall establish a pilot program regarding  
11 the sale of merchantable material under this  
12 title. Such a program shall ensure that, on an  
13 annual basis, no less than 75 percent of all  
14 projects involving merchantable material shall  
15 be implemented using separate contracts for—

16 (i) the harvesting or collection of mer-  
17 chantable material; and

18 (ii) the sale of such material.

19 (B) DURATION AND EXTENT.—(i) The  
20 Secretary concerned shall ensure that, on an  
21 annual basis beginning in fiscal year 2001, no  
22 less than 75 percent of projects involving mer-  
23 chantable material shall be included in the pilot  
24 program.

1 (ii) Not later than September 30, 2003,  
2 the General Accounting Office (GAO) shall sub-  
3 mit a report to the Senate Energy and Natural  
4 Resources Committee, the House of Represent-  
5 atives Agriculture Committee and the House of  
6 Representatives Resources Committee assessing  
7 the pilot program.

8 (iii) If the GAO determines that the pilot  
9 program is ineffective at that time, then the  
10 Secretary concerned shall ensure that, on an  
11 annual basis beginning in fiscal year 2004, no  
12 less than 50 percent of projects involving mer-  
13 chantable material shall be implemented using  
14 separate contracts.

15 (f) **REQUIREMENTS FOR PROJECT FUNDS.**—The Sec-  
16 retary shall ensure that at least 50 percent of all project  
17 funds be used for projects that are primarily dedicated to  
18 the following purposes—

19 (1) road maintenance, decommissioning or ob-  
20 literation; and

21 (2) restoration of streams and watersheds.

22 **SEC. 205. RESOURCE ADVISORY COMMITTEES.**

23 (a) **ESTABLISHMENT AND PURPOSE OF RESOURCE**  
24 **ADVISORY COMMITTEES.**—

1           (1) ESTABLISHMENT.—The Secretary con-  
2           cerned shall establish and maintain resource advi-  
3           sory committees to perform the duties in subsection  
4           (b), except as provided in paragraph (4).

5           (2) PURPOSE.—The purpose of a resource advi-  
6           sory committee shall be to improve collaborative re-  
7           lationships and to provide advice and recommenda-  
8           tions to the land management agencies consistent  
9           with the purposes of this Act.

10          (3) ACCESS TO RESOURCE ADVISORY COMMIT-  
11          TEES.—To ensure that each unit of Federal land  
12          has access to a resource advisory committee, and  
13          that there is sufficient interest in participation on a  
14          committee to ensure that membership can be bal-  
15          anced in terms of the points of view represented and  
16          the functions to be performed, the Secretary con-  
17          cerned may, establish resource advisory committees  
18          for part of, or one or more, units of Federal lands.

19          (4) EXISTING ADVISORY COMMITTEES.—Exist-  
20          ing advisory committees meeting the requirements of  
21          this section may be deemed by the Secretary con-  
22          cerned, as a resource advisory committee for the  
23          purposes of this title. The Secretary of the Interior  
24          may deem a resource advisory committee meeting  
25          the requirements of part 1780, subpart 1784 of title

1 43, Code of Federal Regulations, as a resource advisory  
2 sory committee for the purposes of this title.

3 (b) DUTIES.—A resource advisory committee shall—

4 (1) review projects proposed under this title and  
5 under title III by participating counties and other  
6 persons;

7 (2) propose projects and funding to the Secretary  
8 concerned under section 203 and to the participating  
9 county under title III;

10 (3) provide early and continuous coordination  
11 with appropriate land management agency officials  
12 in recommending projects consistent with purposes  
13 of this Act under this title and title III; and

14 (4) provide frequent opportunities for citizens,  
15 organizations, tribes, land management agencies,  
16 and other interested parties to participate openly  
17 and meaningfully, beginning at the early stages of  
18 the project development process under this title and  
19 title III.

20 (c) APPOINTMENT BY THE SECRETARY.—

21 (1) APPOINTMENT AND TERM.—The Secretary  
22 concerned, shall appoint the members of resource  
23 advisory committees for a term of 3 years beginning  
24 on the date of appointment. The Secretary con-

1       cerned may reappoint members to subsequent 3-year  
2       terms.

3           (2) BASIC REQUIREMENTS.—The Secretary  
4       concerned shall ensure that each resource advisory  
5       committee established meets the requirements of  
6       subsection (d).

7           (3) INITIAL APPOINTMENT.—The Secretary  
8       concerned shall make initial appointments to the re-  
9       source advisory committees not later than 180 days  
10      after the date of the enactment of this Act.

11          (4) VACANCIES.—The Secretary concerned shall  
12      make appointments to fill vacancies on any resource  
13      advisory committee as soon as practicable after the  
14      vacancy has occurred.

15          (5) COMPENSATION.—Members of the resource  
16      advisory committees shall not receive any compensa-  
17      tion.

18      (d) COMPOSITION OF ADVISORY COMMITTEE.—

19          (1) NUMBER.—Each resource advisory com-  
20      mittee shall be comprised of 15 members.

21          (2) COMMUNITY INTERESTS REPRESENTED.—  
22      Committee members shall be representative of the  
23      interests of the following three categories:

24              (A) 5 persons who—

25                  (i) represent organized labor;

- 1           (ii) represent developed outdoor recre-  
2           ation, off highway vehicle users, or com-  
3           mercial recreation activities;
- 4           (iii) represent energy and mineral de-  
5           velopment interests;
- 6           (iv) represent the commercial timber  
7           industry; or
- 8           (v) hold Federal grazing permits, or  
9           other land use permits within the area for  
10          which the committee is organized.
- 11         (B) 5 persons representing—
- 12           (i) nationally recognized environ-  
13           mental organizations;
- 14           (ii) regionally or locally recognized en-  
15           vironmental organizations;
- 16           (iii) dispersed recreational activities;
- 17           (iv) archeological and historical inter-  
18           ests; or
- 19           (v) nationally or regionally recognized  
20           wild horse and burro interest groups.
- 21         (C) 5 persons who—
- 22           (i) hold State elected office or their  
23           designee;
- 24           (ii) hold county or local elected office;

1 (iii) represent American Indian tribes  
2 within or adjacent to the area for which  
3 the committee is organized;

4 (iv) are school officials or teachers; or  
5 (v) represent the affected public at  
6 large.

7 (3) BALANCED REPRESENTATION.—In appoint-  
8 ing committee members from the three categories in  
9 paragraph (2), the Secretary concerned shall provide  
10 for balanced and broad representation from within  
11 each category.

12 (4) GEOGRAPHIC DISTRIBUTION.—The mem-  
13 bers of a resource advisory committee shall reside  
14 within the State in which the committee has geo-  
15 graphic jurisdiction.

16 (5) CHAIRPERSON.—A majority on each re-  
17 source advisory committee shall select the chair-  
18 person of the committee.

19 (e) APPROVAL PROCEDURES.—(1) Subject to para-  
20 graph (2), each resource advisory committee shall estab-  
21 lish procedures for proposing projects to the Secretary  
22 concerned under this title and the participating county  
23 under title III. A quorum must be present to constitute  
24 an official meeting of the committee.

1           (2) A project may be proposed by a resource advisory  
2 committee to the Secretary concerned under section  
3 203(a), or to the participating county under section 302,  
4 if it has been approved by a majority of members of the  
5 committee from each of the three categories in subsection  
6 (d)(2).

7           (f) OTHER COMMITTEE AUTHORITIES AND REQUIRE-  
8 MENTS.—

9           (1) STAFF ASSISTANCE.—A resource advisory  
10 committee may submit to the Secretary concerned a  
11 request for periodic staff assistance from Federal  
12 employees under the jurisdiction of the Secretary.

13           (2) MEETINGS.—All meetings of a resource ad-  
14 visory committee shall be announced at least one  
15 week in advance in a local newspaper of record and  
16 shall be open to the public.

17           (3) RECORDS.—A resource advisory committee  
18 shall maintain records of the meetings of the com-  
19 mittee and make the records available for public in-  
20 spection.

21 **SEC. 206. USE OF PROJECT FUNDS.**

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

24           (1) AGREEMENT BETWEEN PARTIES.—The Sec-  
25 retary concerned may carry out a project submitted

1 by a resource advisory committee under section  
2 203(a) using project funds or other funds described  
3 in section 203(a)(2), if, as soon as practicable after  
4 the issuance of a decision document for the project  
5 and the exhaustion of all administrative appeals and  
6 judicial review of the project decision, the Secretary  
7 concerned and the resource advisory committee enter  
8 into an agreement addressing, at a minimum, the  
9 following:

10 (A) The schedule for completing the  
11 project.

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

15 (C) For a multiyear project, the estimated  
16 cost of the project for each of the fiscal years  
17 in which it will be carried out.

18 (D) The remedies for failure of the Sec-  
19 retary concerned to comply with the terms of  
20 the agreement consistent with current Federal  
21 law.

22 (2) LIMITED USE OF FEDERAL FUNDS.—The  
23 Secretary concerned may decide, at the Secretary's  
24 sole discretion, to cover the costs of a portion of an  
25 approved project using Federal funds appropriated

1 or otherwise available to the Secretary for the same  
2 purposes as the project.

3 (b) TRANSFER OF PROJECT FUNDS.—

4 (1) INITIAL TRANSFER REQUIRED.—As soon as  
5 practicable after the agreement is reached under  
6 subsection (a) with regard to a project to be funded  
7 in whole or in part using project funds, or other  
8 funds described in section 203(a)(2), the Secretary  
9 concerned shall transfer to the applicable unit of Na-  
10 tional Forest System lands or BLM District an  
11 amount of project funds equal to—

12 (A) in the case of a project to be completed  
13 in a single fiscal year, the total amount speci-  
14 fied in the agreement to be paid using project  
15 funds, or other funds described in section  
16 203(a)(2); or

17 (B) in the case of a multiyear project, the  
18 amount specified in the agreement to be paid  
19 using project funds, or other funds described in  
20 section 203(a)(2) for the first fiscal year.

21 (2) CONDITION ON PROJECT COMMENCE-  
22 MENT.—The unit of National Forest System lands  
23 or BLM District concerned, shall not commence a  
24 project until the project funds, or other funds de-  
25 scribed in section 203(a)(2) required to be trans-

1       ferred under paragraph (1) for the project, have  
2       been made available by the Secretary concerned.

3               (3) SUBSEQUENT TRANSFERS FOR MULTIYEAR  
4       PROJECTS.—For the second and subsequent fiscal  
5       years of a multiyear project to be funded in whole  
6       or in part using project funds, the unit of National  
7       Forest System lands or BLM District concerned  
8       shall use the amount of project funds required to  
9       continue the project in that fiscal year according to  
10      the agreement entered into under subsection (a).  
11      The Secretary concerned shall suspend work on the  
12      project if the project funds required by the agree-  
13      ment in the second and subsequent fiscal years are  
14      not available.

15   **SEC. 207. AVAILABILITY OF PROJECT FUNDS.**

16      (a) SUBMISSION OF PROPOSED PROJECTS TO OBLI-  
17      GATE FUNDS.—By September 30 of each fiscal year  
18      through fiscal year 2006, a resource advisory committee  
19      shall submit to the Secretary concerned pursuant to sec-  
20      tion 203(a)(1) a sufficient number of project proposals  
21      that, if approved, would result in the obligation of at least  
22      the full amount of the project funds reserved by the par-  
23      ticipating county in the preceding fiscal year.

24      (b) USE OR TRANSFER OF UNOBLIGATED FUNDS.—  
25      Subject to section 209, if a resource advisory committee

1 fails to comply with subsection (a) for a fiscal year, any  
2 project funds reserved by the participating county in the  
3 preceding fiscal year and remaining unobligated shall be  
4 available for use as part of the project submissions in the  
5 next fiscal year.

6 (c) EFFECT OF REJECTION OF PROJECTS.—Subject  
7 to section 209, any project funds reserved by a partici-  
8 pating county in the preceding fiscal year that are unobli-  
9 gated at the end of a fiscal year because the Secretary  
10 concerned has rejected one or more proposed projects shall  
11 be available for use as part of the project submissions in  
12 the next fiscal year.

13 (d) EFFECT OF COURT ORDERS.—If an approved  
14 project under this Act is enjoined or prohibited by a Fed-  
15 eral court, the Secretary concerned shall use unobligated  
16 project funds related to that project in the participating  
17 county or counties that reserved the funds. The returned  
18 funds shall be available for the county to expend in the  
19 same manner as the funds reserved by the county under  
20 section 102(d)(1)(B) or 103(c)(1)(B), whichever applies  
21 to the funds involved.

22 **SEC. 208. ALLOCATION OF PROCEEDS.**

23 The proceeds from any joint project under section  
24 203(a)(3) using both Federal and non-Federal funds shall  
25 be equitably divided between the Treasury of the United

1 States and the non-Federal funding source in direct pro-  
 2 portion to the contribution of funds to the overall cost of  
 3 the project.

4 **SEC. 209. TERMINATION OF AUTHORITY.**

5 The authority to initiate projects under this title shall  
 6 terminate on September 30, 2006. Any project funds not  
 7 obligated by September 30, 2007, shall be deposited in the  
 8 Treasury of the United States.

9 **TITLE III—COUNTY PROJECTS**

10 **SEC. 301. DEFINITIONS.**

11 In this title:

12 (1) PARTICIPATING COUNTY.—The term “par-  
 13 ticipating county” means an eligible county that—

14 (A) receives Federal funds pursuant to sec-  
 15 tion 102(b)(1) or 103(b)(1); and

16 (B) elects under section 102(d)(1)(B)(ii)  
 17 or 103(c)(1)(B)(ii) to expend a portion of those  
 18 funds in accordance with this title.

19 (2) COUNTY FUNDS.—The term “county funds”  
 20 means all funds an eligible county elects under sec-  
 21 tions 102(d)(1)(B)(ii) and 103(c)(1)(B)(ii) to re-  
 22 serve for expenditure in accordance with this title.

23 **SEC. 302. USE OF COUNTY FUNDS.**

24 (a) LIMITATION OF COUNTY FUND USE.—County  
 25 funds shall be expended solely on projects that meet the

1 requirements of this title and section 205 of this Act; ex-  
2 cept that: The projects shall be approved by the partici-  
3 pating county rather than the Secretary concerned.

4 (b) AUTHORIZED USES.—

5 (1) SEARCH, RESCUE, AND EMERGENCY SERV-  
6 ICES.—An eligible county or applicable sheriff's de-  
7 partment may use these funds as reimbursement for  
8 search and rescue and other emergency services, in-  
9 cluding fire fighting, performed on Federal lands  
10 and paid for by the county.

11 (2) COMMUNITY SERVICE WORK CAMPS.—An el-  
12 igible county may use these funds as reimbursement  
13 for all or part of the costs incurred by the county  
14 to pay the salaries and benefits of county employees  
15 who supervise adults or juveniles performing manda-  
16 tory community service on Federal lands.

17 (3) EASEMENT PURCHASES.—An eligible county  
18 may use these funds to acquire—

19 (A) easements, on a willing seller basis, to  
20 provide for nonmotorized access to public lands  
21 for hunting, fishing, and other recreational pur-  
22 poses;

23 (B) conservation easements; or

24 (C) both.

1           (4) FOREST RELATED EDUCATIONAL OPPORTU-  
2           NITIES.—A county may use these funds to establish  
3           and conduct forest-related after school programs.

4           (5) FIRE PREVENTION AND COUNTY PLAN-  
5           NING.—A county may use these funds for—

6                   (A) efforts to educate homeowners in fire-  
7                   sensitive ecosystems about the consequences of  
8                   wildfires and techniques in home siting, home  
9                   construction, and home landscaping that can in-  
10                  crease the protection of people and property  
11                  from wildfires; and

12                   (B) planning efforts to reduce or mitigate  
13                  the impact of development on adjacent Federal  
14                  lands and to increase the protection of people  
15                  and property from wildfires.

16           (6) COMMUNITY FORESTRY.—A county may use  
17           these funds towards non-Federal cost-share provi-  
18           sions of section 9 of the Cooperative Forestry Assist-  
19           ance Act (Public Law 95–313).

20 **SEC. 303. TERMINATION OF AUTHORITY.**

21           The authority to initiate projects under this title shall  
22           terminate on September 30, 2006. Any county funds not  
23           obligated by September 30, 2007 shall be available to be  
24           expended by the county for the uses identified in section  
25           302(b).

1           **TITLE IV—MISCELLANEOUS**  
2                           **PROVISIONS**

3   **SEC. 401. AUTHORIZATION OF APPROPRIATIONS.**

4           There are hereby authorized to be appropriated such  
5   sums as may be necessary to carry out this Act for fiscal  
6   years 2001 through 2006.

7   **SEC. 402. TREATMENT OF FUNDS AND REVENUES.**

8           (a) Funds appropriated pursuant to the authorization  
9   of appropriations in section 401 and funds made available  
10  to a Secretary concerned under section 206 shall be in  
11  addition to any other annual appropriations for the Forest  
12  Service and the Bureau of Land Management.

13          (b) All revenues generated from projects pursuant to  
14  title II, any funds remitted by counties pursuant to section  
15  102(d)(1)(B) or section 103(c)(1)(B), and any interest ac-  
16  crued from such funds shall be deposited in the Treasury  
17  of the United States.

18   **SEC. 403. REGULATIONS.**

19          The Secretaries concerned may jointly issue regula-  
20  tions to carry out the purposes of this Act.

21   **SEC. 404. CONFORMING AMENDMENTS.**

22          Sections 13982 and 13983 of the Omnibus Budget  
23  Reconciliation Act of 1993 (Public Law 103–66; 16  
24  U.S.C. 500 note; 43 U.S.C. 1181f note) are repealed.

1 **TITLE V—THE MINERAL REV-**  
2 **ENUE PAYMENTS CLARIFICA-**  
3 **TION ACT OF 2000**

4 **SEC. 501. SHORT TITLE.**

5 This title may be cited as the “Mineral Revenue Pay-  
6 ments Clarification Act of 2000”.

7 **SEC. 502. FINDINGS.**

8 The Congress finds the following:

9 (1) Subtitle C of title X of the Omnibus Budget  
10 Reconciliation Act of 1993 (Public Law 103–66)  
11 changed the sharing of onshore mineral revenues  
12 and revenues from geothermal steam from a 50:50  
13 split between the Federal Government and the  
14 States to a complicated formula that entailed de-  
15 ducting from the State share of leasing revenues “50  
16 percent of the portion of the enacted appropriations  
17 of the Department of the Interior and any other  
18 agency during the preceding fiscal year allocable to  
19 the administration of all laws providing for the leas-  
20 ing of any onshore lands or interest in land owned  
21 by the United States for the production of the same  
22 types of minerals leasable under this Act or of geo-  
23 thermal steam, and to enforcement of such  
24 laws . . .”.

1           (2) There is no legislative record to suggest a  
2           sound public policy rationale for deducting prior-  
3           year administrative expenses from the sharing of  
4           current-year receipts, indicating that this change  
5           was made primarily for budget scoring reasons.

6           (3) The system put in place by this change in  
7           law has proved difficult to administer and has given  
8           rise to disputes between the Federal Government  
9           and the States as to the nature of allocable ex-  
10          penses. Federal accounting systems have proven to  
11          be poorly suited to breaking down administrative  
12          costs in the manner required by the law. Different  
13          Federal agencies implementing this law have used  
14          varying methodologies to identify allocable costs, re-  
15          sulting in an inequitable distribution of costs during  
16          fiscal years 1994 through 1996. In November 1997,  
17          the Inspector General of the Department of the In-  
18          terior found that “the congressionally approved  
19          method for cost sharing deductions effective in fiscal  
20          year 1997 may not accurately compute the deduc-  
21          tions”.

22          (4) Given the lack of a substantive rationale for  
23          the 1993 change in law and the complexity and ad-  
24          ministrative burden involved, a return to the sharing

1 formula prior to the enactment of the Omnibus  
2 Budget Reconciliation Act of 1993 is justified.

3 **SEC. 503. AMENDMENT OF THE MINERAL LEASING ACT.**

4 Section 35(b) of the Mineral Leasing Act (30 U.S.C.  
5 sec. 191(b)) is amended to read as follows: “(b) In deter-  
6 mining the amount of payments to the States under this  
7 section, the amount of such payments shall not be reduced  
8 by any administrative or other costs incurred by the  
9 United States.”.

Passed the Senate September 13, 2000.

Attest:

*Secretary.*

106TH CONGRESS  
2D SESSION

**S. 1608**

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**AN ACT**

To provide 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 the benefit of public schools and roads and to enhance the health, diversity and productivity of Federal lands.

S 1608 ES—2

S 1608 ES—3

S 1608 ES—4

S 1608 ES—5