

114TH CONGRESS  
1ST SESSION

# S. 517

To extend the secure rural schools and community self-determination program, to restore mandatory funding status to the payment in lieu of taxes program, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2015

Mr. WYDEN (for himself, Mr. CRAPO, Mr. RISCH, Mr. MERKLEY, Mr. UDALL, Mr. BENNET, Mrs. MCCASKILL, and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To extend the secure rural schools and community self-determination program, to restore mandatory funding status to the payment in lieu of taxes program, and for other purposes.

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.**

4 This Act may be cited as the “Secure Rural Schools  
5 and Payment in Lieu of Taxes Repair Act”.

1 **SEC. 2. EXTENSION OF SECURE RURAL SCHOOLS AND COM-**  
2 **MUNITY SELF-DETERMINATION PROGRAM.**

3 (a) DEFINITION OF FULL FUNDING AMOUNT.—Sec-  
4 tion 3(11) of the Secure Rural Schools and Community  
5 Self-Determination Act of 2000 (16 U.S.C. 7102(11)) is  
6 amended—

7 (1) in subparagraph (B), by striking “and” at  
8 the end;

9 (2) in subparagraph (C)—

10 (A) by striking “fiscal year 2012 and each  
11 fiscal year thereafter” and inserting “each of  
12 fiscal years 2012 and 2013”; and

13 (B) by striking the period at the end and  
14 inserting “; and”; and

15 (3) by adding at the end the following:

16 “(D) for fiscal year 2014 and each fiscal  
17 year thereafter, the amount that is equal to the  
18 full funding amount for fiscal year 2011.”.

19 (b) SECURE PAYMENTS FOR STATES AND COUNTIES  
20 CONTAINING FEDERAL LAND.—

21 (1) AVAILABILITY OF PAYMENTS.—Section 101  
22 of the Secure Rural Schools and Community Self-  
23 Determination Act of 2000 (16 U.S.C. 7111) is  
24 amended by striking “2013” each place it appears  
25 and inserting “2016”.

1           (2) ELECTIONS.—Section 102(b) of the Secure  
2 Rural Schools and Community Self-Determination  
3 Act of 2000 (16 U.S.C. 7112(b)) is amended—

4           (A) in paragraph (1)(A), by striking “by  
5 August 1, 2013 (or as soon thereafter as the  
6 Secretary concerned determines is practicable),  
7 and August 1 of each second fiscal year there-  
8 after” and inserting “by August 1 of each ap-  
9 plicable fiscal year (or as soon thereafter as the  
10 Secretary concerned determines is practicable)”;

11 and

12           (B) in paragraph (2)(B)—

13           (i) by striking “in 2013” and insert-  
14 ing “in 2014”; and

15           (ii) by striking “fiscal year 2013” and  
16 inserting “fiscal year 2016”.

17           (3) ELECTION AS TO USE OF BALANCE.—Sec-  
18 tion 102(d)(1) of the Secure Rural Schools and  
19 Community Self-Determination Act of 2000 (16  
20 U.S.C. 7112(d)(1)) is amended—

21           (A) in subparagraph (B)(ii), by striking  
22 “not more than 7 percent of the total share for  
23 the eligible county of the State payment or the  
24 county payment” and inserting “any portion of  
25 the balance”; and

1 (B) by striking subparagraph (C) and in-  
2 serting the following:

3 “(C) COUNTIES WITH MAJOR DISTRIBUTIONS.—In the case of each eligible county to  
4 which \$350,000 or more is distributed for any  
5 fiscal year pursuant to paragraph (1)(B) or  
6 (2)(B) of subsection (a), the eligible county  
7 shall elect to do 1 or more of the following with  
8 the balance of any funds not expended pursuant  
9 to subparagraph (A):  
10

11 “(i) Reserve any portion of the bal-  
12 ance for projects in accordance with title  
13 II.

14 “(ii) Reserve not more than 7 percent  
15 of the total share for the eligible county of  
16 the State payment or the county payment  
17 for projects in accordance with title III.

18 “(iii) Return the portion of the bal-  
19 ance not reserved under clauses (i) and (ii)  
20 to the Treasury of the United States.”.

21 (4) NOTIFICATION OF ELECTION.—Section  
22 102(d)(3)(A) of the Secure Rural Schools and Com-  
23 munity Self-Determination Act of 2000 (16 U.S.C.  
24 7112(d)(3)(A)) is amended by striking “2012,” and

1 inserting “2014 (or as soon thereafter as the Sec-  
2 retary concerned determines is practicable)”.

3 (5) FAILURE TO ELECT.—Section  
4 102(d)(3)(B)(ii) of the Secure Rural Schools and  
5 Community Self-Determination Act of 2000 (16  
6 U.S.C. 7112(d)(3)(B)(ii)) is amended by striking  
7 “purpose described in section 202(b)” and inserting  
8 “purposes described in section 202(b), 203(c), or  
9 204(a)(5)”.

10 (6) DISTRIBUTION OF PAYMENTS TO ELIGIBLE  
11 COUNTIES.—Section 103(d)(2) of the Secure Rural  
12 Schools and Community Self-Determination Act of  
13 2000 (16 U.S.C. 7113(d)(2)) is amended by striking  
14 “2013” and inserting “2016”.

15 (c) CONTINUATION OF AUTHORITY TO CONDUCT  
16 SPECIAL PROJECTS ON FEDERAL LAND.—

17 (1) SUBMISSION OF PROJECT PROPOSALS.—  
18 Section 203(a)(1) of the Secure Rural Schools and  
19 Community Self-Determination Act of 2000 (16  
20 U.S.C. 7123(a)(1)) is amended by striking “Sep-  
21 tember 30 for fiscal year 2008 (or as soon thereafter  
22 as the Secretary concerned determines is prac-  
23 ticable), and each September 30 thereafter for each  
24 succeeding fiscal year through fiscal year 2013” and  
25 inserting “September 30 of each applicable fiscal

1 year (or as soon thereafter as the Secretary con-  
2 cerned determines is practicable)”.

3 (2) EVALUATION AND APPROVAL OF PROJECTS  
4 BY SECRETARY CONCERNED.—Section 204(e) of the  
5 Secure Rural Schools and Community Self-Deter-  
6 mination Act of 2000 (16 U.S.C. 7124(e)) is amend-  
7 ed by striking paragraph (3).

8 (3) RESOURCE ADVISORY COMMITTEES.—Sec-  
9 tion 205(a)(4) of the Secure Rural Schools and  
10 Community Self-Determination Act of 2000 (16  
11 U.S.C. 7125(a)(4)) is amended by striking “2012”  
12 each place it appears and inserting “2015”.

13 (4) AVAILABILITY OF PROJECT FUNDS.—Sec-  
14 tion 207(a) of the Secure Rural Schools and Com-  
15 munity Self-Determination Act of 2000 (16 U.S.C.  
16 7127(a)) is amended by striking “September 30,  
17 2008 (or as soon thereafter as the Secretary con-  
18 cerned determines is practicable), and each Sep-  
19 tember 30 thereafter for each succeeding fiscal year  
20 through fiscal year 2013” and inserting “September  
21 30 of each applicable fiscal year (or as soon there-  
22 after as the Secretary concerned determines is prac-  
23 ticable)”.

24 (5) TERMINATION OF AUTHORITY.—Section  
25 208 of the Secure Rural Schools and Community

1 Self-Determination Act of 2000 (16 U.S.C. 7128) is  
2 amended—

3 (A) in subsection (a), by striking “2013”  
4 and inserting “2016 (or as soon thereafter as  
5 the Secretary concerned determines is prac-  
6 ticable)”; and

7 (B) in subsection (b), by striking “2014”  
8 and inserting “2017”.

9 (d) CONTINUATION OF AUTHORITY TO RESERVE  
10 AND USE COUNTY FUNDS.—Section 304 of the Secure  
11 Rural Schools and Community Self-Determination Act of  
12 2000 (16 U.S.C. 7144) is amended—

13 (1) in subsection (a), by striking “2013” and  
14 inserting “2016 (or as soon thereafter as the Sec-  
15 retary concerned determines is practicable)”; and

16 (2) in subsection (b), by striking “September  
17 30, 2014, shall be returned to the Treasury of the  
18 United States” and inserting “September 30, 2017,  
19 may be retained by the counties for the purposes  
20 identified in section 302(a)(2)”.

21 (e) AUTHORIZATION OF APPROPRIATIONS.—Section  
22 402 of the Secure Rural Schools and Community Self-De-  
23 termination Act of 2000 (16 U.S.C. 7152) is amended by  
24 striking “2013” and inserting “2016”.

25 (f) AVAILABILITY OF FUNDS.—

1           (1) TITLE II FUNDS.—Any funds that were not  
2 obligated as required by section 208 of the Secure  
3 Rural Schools and Community Self-Determination  
4 Act of 2000 (16 U.S.C. 7128) (as in effect on the  
5 day before the date of enactment of this Act) shall  
6 be available for use in accordance with title II of  
7 that Act (16 U.S.C. 7121 et seq.).

8           (2) TITLE III FUNDS.—Any funds that were not  
9 obligated as required by section 304 of the Secure  
10 Rural Schools and Community Self-Determination  
11 Act of 2000 (16 U.S.C. 7144) (as in effect on the  
12 day before the date of enactment of this Act) shall  
13 be available for use in accordance with title III of  
14 that Act (16 U.S.C. 7141 et seq.).

15 **SEC. 3. RESTORING MANDATORY FUNDING STATUS TO THE**  
16 **PAYMENT IN LIEU OF TAXES PROGRAM.**

17       Section 6906 of title 31, United States Code, is  
18 amended in the matter preceding paragraph (1), by strik-  
19 ing “of fiscal years 2008 through 2014” and inserting  
20 “fiscal year”.

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