

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.

S. 430

To extend the Secure Rural Schools and Community Self-Determination Act of 2000.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Secure Rural Schools
5 Reauthorization Act of 2019”.

6 **SEC. 2. EXTENSION OF SECURE RURAL SCHOOLS AND COM-
7 MUNITY SELF-DETERMINATION ACT OF 2000.**

8 (a) DEFINITION OF FULL FUNDING AMOUNT.—Sec-
9 tion 3(11) of the Secure Rural Schools and Community
10 Self-Determination Act of 2000 (16 U.S.C. 7102(11)) is
11 amended by striking subparagraphs (D) and (E) and in-
12 serting the following:

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

4 “(E) for fiscal year 2018, the amount that
5 is equal to 95 percent of the full funding
6 amount for fiscal year 2017; and

7 “(F) for fiscal year 2019 and each fiscal
8 year thereafter, the amount that is equal to the
9 full funding amount for fiscal year 2017.”.

10 (b) SECURE PAYMENTS FOR STATES AND COUNTIES
11 CONTAINING FEDERAL LAND.—

12 (1) SECURE PAYMENTS.—Section 101 of the
13 Secure Rural Schools and Community Self-Deter-
14 mination Act of 2000 (16 U.S.C. 7111) is amended,
15 in subsections (a) and (b), by striking “and 2018”
16 each place it appears and inserting “2018, 2019,
17 and 2020”.

18 (2) PAYMENTS TO STATES AND COUNTIES.—

19 (A) ELECTION TO RECEIVE PAYMENT
20 AMOUNT.—Section 102(b)(1)(D) of the Secure
21 Rural Schools and Community Self-Determina-
22 tion Act of 2000 (16 U.S.C. 7112(b)(1)(D)) is
23 amended—

24 (i) in the subparagraph heading, by
25 striking “FOR FISCAL YEARS 2017 AND

1 2018” and inserting “FOR EACH OF FISCAL
2 YEARS 2017 THROUGH 2019”; and

3 (ii) by striking “for fiscal years 2017
4 and 2018” and inserting “for each of fiscal
5 years 2017 through 2019”.

6 (B) EXPENDITURE RULES FOR ELIGIBLE
7 COUNTIES.—Section 102(d) of the Secure Rural
8 Schools and Community Self-Determination Act
9 of 2000 (16 U.S.C. 7112(d)) is amended—

10 (i) in paragraph (1)(F)—

11 (I) in the subparagraph heading,
12 by striking “FOR FISCAL YEARS 2017
13 AND 2018” and inserting “FOR EACH
14 OF FISCAL YEARS 2017 THROUGH
15 2019”; and

16 (II) by striking “for fiscal years
17 2017 and 2018” and inserting “for
18 each of fiscal years 2017 through
19 2019”; and

20 (ii) in paragraph (3)(D)—

21 (I) in the subparagraph heading,
22 by striking “FOR FISCAL YEARS 2017
23 AND 2018” and inserting “FOR EACH
24 OF FISCAL YEARS 2017 THROUGH
25 2019”; and

1 (II) by striking “for fiscal years
2 2017 and 2018” and inserting “for
3 each of fiscal years 2017 through
4 2019”.

5 (C) DISTRIBUTION OF PAYMENTS TO ELI-
6 GIBLE COUNTIES.—Section 103(d)(2) of the Se-
7 cure Rural Schools and Community Self-Deter-
8 mination Act of 2000 (16 U.S.C. 7113(d)(2)) is
9 amended by striking “through and for fiscal
10 years 2017 and 2018” and inserting “through
11 2015 and for each of fiscal years 2017 through
12 2020”.

13 (c) PILOT PROGRAM TO STREAMLINE NOMINATION
14 OF MEMBERS OF RESOURCE ADVISORY COMMITTEES.—
15 Section 205 of the Secure Rural Schools and Community
16 Self-Determination Act of 2000 (16 U.S.C. 7125) is
17 amended by striking subsection (g) and inserting the fol-
18 lowing:

19 “(g) RESOURCE ADVISORY COMMITTEE APPOINT-
20 MENT PILOT PROGRAMS.—

21 “(1) DEFINITIONS.—In this subsection:

22 “(A) APPLICABLE DESIGNEE.—The term
23 ‘applicable designee’ means the applicable re-
24 gional forester.

1 “(B) NATIONAL PILOT PROGRAM.—The
2 term ‘national pilot program’ means the na-
3 tional pilot program established under para-
4 graph (4)(A).

5 “(C) REGIONAL PILOT PROGRAM.—The
6 term ‘regional pilot program’ means the re-
7 gional pilot program established under para-
8 graph (3)(A).

9 “(2) ESTABLISHMENT OF PILOT PROGRAMS.—
10 In accordance with paragraphs (3) and (4), the Sec-
11 retary concerned shall carry out 2 pilot programs to
12 appoint members of resource advisory committees.

13 “(3) REGIONAL PILOT PROGRAM.—

14 “(A) IN GENERAL.—The Secretary con-
15 cerned shall carry out a regional pilot program
16 to allow an applicable designee to appoint mem-
17 bers of resource advisory committees.

18 “(B) GEOGRAPHIC LIMITATION.—The re-
19 gional pilot program shall only apply to re-
20 source advisory committees chartered in—

21 “(i) the State of Montana; and

22 “(ii) the State of Arizona.

23 “(C) RESPONSIBILITIES OF APPLICABLE
24 DESIGNEE.—

1 “(i) REVIEW.—Before appointing a
2 member of a resource advisory committee
3 under the regional pilot program, an appli-
4 cable designee shall conduct the review and
5 analysis that would otherwise be conducted
6 for an appointment to a resource advisory
7 committee if the regional pilot program
8 was not in effect, including any review and
9 analysis with respect to civil rights and
10 budgetary requirements.

11 “(ii) SAVINGS CLAUSE.—Nothing in
12 this paragraph relieves an applicable des-
13 ignee from any requirement developed by
14 the Secretary concerned for making an ap-
15 pointment to a resource advisory com-
16 mittee that is in effect on December 20,
17 2018, including any requirement for adver-
18 tising a vacancy.

19 “(4) NATIONAL PILOT PROGRAM.—

20 “(A) IN GENERAL.—The Secretary con-
21 cerned shall carry out a national pilot program
22 to allow the Chief of the Forest Service or the
23 Director of the Bureau of Land Management,
24 as applicable, to submit to the Secretary con-
25 cerned nominations of individuals for appoint-

1 ment as members of resource advisory commit-
2 tees.

3 “(B) APPOINTMENT.—Under the national
4 pilot program, subject to subparagraph (C), not
5 later than 30 days after the date on which a
6 nomination is transmitted to the Secretary con-
7 cerned under subparagraph (A), the Secretary
8 concerned shall—

9 “(i) appoint the nominee to the appli-
10 cable resource advisory committee; or

11 “(ii) reject the nomination.

12 “(C) AUTOMATIC APPOINTMENT.—If the
13 Secretary concerned does not act on a nomina-
14 tion in accordance with subparagraph (B) by
15 the date described in that subparagraph, the
16 nominee shall be deemed appointed to the appli-
17 cable resource advisory committee.

18 “(D) GEOGRAPHIC LIMITATION.—The na-
19 tional pilot program shall apply to a resource
20 advisory committee chartered in any State other
21 than—

22 “(i) the State of Montana; or

23 “(ii) the State of Arizona.

24 “(E) SAVINGS CLAUSE.—Nothing in this
25 paragraph relieves the Secretary concerned

1 from any requirement relating to an appoint-
2 ment to a resource advisory committee, includ-
3 ing any requirement with respect to civil rights
4 or advertising a vacancy.

5 “(5) TERMINATION OF EFFECTIVENESS.—The
6 authority provided under this subsection terminates
7 on October 1, 2023.

8 “(6) REPORT TO CONGRESS.—Not later 180
9 days after the date described in paragraph (5), the
10 Secretary concerned shall submit to Congress a re-
11 port that includes—

12 “(A) with respect to appointments made
13 under the regional pilot program compared to
14 appointments made under the national pilot
15 program, a description of the extent to which—

16 “(i) appointments were faster or slow-
17 er; and

18 “(ii) the requirements described in
19 paragraph (3)(C)(i) differ; and

20 “(B) a recommendation with respect to
21 whether Congress should terminate, continue,
22 modify, or expand the pilot programs.”.

23 (d) EXTENSION OF AUTHORITY TO CONDUCT SPE-
24 CIAL PROJECTS ON FEDERAL LAND.—

1 (1) EXISTING ADVISORY COMMITTEES.—Section
2 205(a)(4) of the Secure Rural Schools and Commu-
3 nity Self-Determination Act of 2000 (16 U.S.C.
4 7125(a)(4)) is amended by striking “September 29,
5 2018” each place it appears and inserting “Decem-
6 ber 20, 2019”.

7 (2) EXTENSION OF AUTHORITY.—Section 208
8 of the Secure Rural Schools and Community Self-
9 Determination Act of 2000 (16 U.S.C. 7128) is
10 amended—

11 (A) in subsection (a), by striking “2020”
12 and inserting “2022”; and

13 (B) in subsection (b), by striking “2021”
14 and inserting “2023”.

15 (e) EXTENSION OF AUTHORITY TO EXPEND COUNTY
16 FUNDS.—Section 304 of the Secure Rural Schools and
17 Community Self-Determination Act of 2000 (16 U.S.C.
18 7144) is amended—

19 (1) in subsection (a), by striking “2020” and
20 inserting “2022”; and

21 (2) in subsection (b), by striking “2021” and
22 inserting “2023”.

23 (f) AMOUNTS OBLIGATED BUT UNSPENT; PROHIBI-
24 TION ON USE OF FUNDS.—Title III of the Secure Rural

1 Schools and Community Self-Determination Act of 2000
2 (16 U.S.C. 7141 et seq.) is amended—

3 (1) by redesignating section 304 as section 305;

4 and

5 (2) by inserting after section 303 the following:

6 **“SEC. 304. AMOUNTS OBLIGATED BUT UNSPENT; PROHIBI-**
7 **TION ON USE OF FUNDS.**

8 “(a) AMOUNTS OBLIGATED BUT UNSPENT.—Any
9 county funds that were obligated by the applicable partici-
10 pating county before October 1, 2017, but are unspent on
11 October 1, 2019—

12 “(1) may, at the option of the participating
13 county, be deemed to have been reserved by the par-
14 ticipating county on October 1, 2019, for expendi-
15 ture in accordance with this title; and

16 “(2)(A) may be used by the participating coun-
17 ty for any authorized use under section 302(a); and

18 “(B) on a determination by the participating
19 county under subparagraph (A) to use the county
20 funds, shall be available for projects initiated after
21 October 1, 2019, subject to section 305.

22 “(b) PROHIBITION ON USE OF FUNDS.—Notwith-
23 standing any other provision of law, effective beginning
24 on the date of enactment of the Secure Rural Schools Re-
25 authorization Act of 2019, no county funds made available

1 under this title may be used by any participating county
2 for any lobbying activity, regardless of the purpose for
3 which the funds are obligated on or before that date.”.