

115TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To amend title 36, United States Code, to grant a Federal charter to the Forest and Refuge County Foundation, to provide for the establishment of the Natural Resources Permanent Fund, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. WYDEN (for himself and Mr. CRAPO) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend title 36, United States Code, to grant a Federal charter to the Forest and Refuge County Foundation, to provide for the establishment of the Natural Resources Permanent Fund, 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 “Forest Management  
5       for Rural Stability Act”.

1 **SEC. 2. FEDERAL CHARTER FOR FOREST AND REFUGE**  
2 **COUNTY FOUNDATION AND ESTABLISHMENT**  
3 **OF NATURAL RESOURCES PERMANENT FUND.**

4 (a) FEDERAL CHARTER FOR FOREST AND REFUGE  
5 COUNTY FOUNDATION.—Subtitle III of title 36, United  
6 States Code, is amended by inserting after chapter 3001  
7 the following:

8 **“CHAPTER 3002—FOREST AND REFUGE**  
9 **COUNTY FOUNDATION**

“Sec.

“300201. Definitions.

“300202. Establishment.

“300203. Status and applicable laws.

“300204. Board of Directors.

“300205. Bylaws and duties.

“300206. Authority of Corporation.

“300207. Establishment of Natural Resources Permanent Fund.

10 **“§ 300201. Definitions**

11 “In this chapter:

12 “(1) AGENCY HEAD.—The term ‘agency head’  
13 means—

14 “(A) the Secretary of the Treasury;

15 “(B) the Chief of the Forest Service;

16 “(C) the Director of the Bureau of Land  
17 Management; and

18 “(D) the Director of the United States  
19 Fish and Wildlife Service.

20 “(2) BOARD.—The term ‘Board’ means the  
21 Board of Directors of the Corporation.

1 “(3) CHAIRPERSON.—The term ‘Chairperson’  
2 means the Chairperson of the Board.

3 “(4) CORPORATION.—The term ‘Corporation’  
4 means the Forest and Refuge County Foundation  
5 established by section 300202.

6 “(5) COUNTY PAYMENT; FULL FUNDING  
7 AMOUNT; STATE PAYMENT.—The terms ‘county pay-  
8 ment’, ‘full funding amount’, and ‘State payment’  
9 have the meanings given those terms in section 3 of  
10 the Secure Rural Schools and Community Self-De-  
11 termination Act of 2000 (16 U.S.C. 7102).

12 “(6) ELIGIBLE COUNTY.—

13 “(A) IN GENERAL.—The term ‘eligible  
14 county’ means—

15 “(i) a county that is eligible for a pay-  
16 ment under the Secure Rural Schools and  
17 Community Self-Determination Act of  
18 2000 (16 U.S.C. 7101 et seq.), with re-  
19 spect to an account established by para-  
20 graph (1) or (2) of section 300207(b); or

21 “(ii) a county that is eligible for a  
22 payment under section 401(c) of the Act of  
23 June 15, 1935 (commonly known as the  
24 ‘Refuge Revenue Sharing Act’) (49 Stat.  
25 383, chapter 261; 16 U.S.C. 715s(c)), with

1           respect to the account established by sec-  
2           tion 300207(b)(3).

3           “(B) EXCLUSION.—The term ‘eligible  
4           county’ does not include a county that has  
5           elected to opt out of distributions from the  
6           Fund under section 300207(e)(4)(A).

7           “(7) FUND.—The term ‘Fund’ means the Nat-  
8           ural Resources Permanent Fund established by sec-  
9           tion 300207(a).

10          “(8) HIGHEST HISTORIC PAYMENT.—The term  
11          ‘highest historic payment’ means—

12               “(A) with respect to the Forest Service Ac-  
13               count of the Fund, an amount equal to the  
14               total amount of State payments received under  
15               section 101(a) of the Secure Rural Schools and  
16               Community Self-Determination Act of 2000 (16  
17               U.S.C. 7111(a)) for fiscal year 2008 (as ad-  
18               justed to reflect changes during the period be-  
19               ginning on October 1, 2008, in the Consumer  
20               Price Index for All Urban Consumers published  
21               by the Bureau of Labor Statistics of the De-  
22               partment of Labor); and

23               “(B) with respect to the Bureau of Land  
24               Management Account of the Fund, an amount  
25               equal to the total amount of county payments

1 received under section 101(b) of the Secure  
2 Rural Schools and Community Self-Determina-  
3 tion Act of 2000 (16 U.S.C. 7111(b)) for fiscal  
4 year 2006 (as adjusted to reflect changes dur-  
5 ing the period beginning on October 1, 2006, in  
6 the Consumer Price Index for All Urban Con-  
7 sumers published by the Bureau of Labor Sta-  
8 tistics of the Department of Labor).

9 “(9) MANAGER.—The term ‘manager’ means  
10 the manager of investments employed by the Board  
11 pursuant to section 300205(c)(3).

12 “(10) RESOURCE ADVISORY COMMITTEE.—The  
13 term ‘resource advisory committee’ means—

14 “(A) a resource advisory committee estab-  
15 lished under section 205 of the Secure Rural  
16 Schools and Community Self-Determination Act  
17 of 2000 (16 U.S.C. 7125) (as in effect on the  
18 day before the date of enactment of this chap-  
19 ter); and

20 “(B) an advisory council established pursu-  
21 ant to section 309(a) of the Federal Land Pol-  
22 icy and Management Act of 1976 (43 U.S.C.  
23 1739(a)).

24 “(11) SECRETARY CONCERNED.—The term  
25 ‘Secretary concerned’ means—

1           “(A) the Secretary of Agriculture, with re-  
2           spect to the account established by section  
3           300207(b)(1); and

4           “(B) the Secretary of the Interior, with re-  
5           spect to an account established by paragraph  
6           (2) or (3) of section 300207(b).

7   **“§ 300202. Establishment**

8           “‘There is established a federally chartered, nonprofit  
9   corporation, to be known as the ‘Forest and Refuge Coun-  
10   ty Foundation’, which shall be incorporated in the State  
11   of Oregon.

12   **“§ 300203. Status and applicable laws**

13           “(a) NON-FEDERAL ENTITY.—The Corporation is  
14   not—

15           “(1) a department, agency, or instrumentality  
16           of the United States Government; or

17           “(2) subject to title 31.

18           “(b) LIABILITY.—The United States Government  
19   shall not be liable for the actions or inactions of the Cor-  
20   poration.

21           “(c) NONPROFIT CORPORATION.—The Corporation  
22   shall have and maintain the status of the Corporation as  
23   a nonprofit corporation exempt from taxation under the  
24   Internal Revenue Code of 1986.

1 **“§ 300204. Board of Directors**

2 “(a) **AUTHORITY.**—The powers of the Corporation  
3 shall be vested in a Board of Directors that governs the  
4 Corporation.

5 “(b) **MEMBERSHIP.**—

6 “(1) **COMPOSITION.**—The Board shall be com-  
7 posed of 11 members, of whom—

8 “(A) 3 shall be appointed by the Chief of  
9 the Forest Service;

10 “(B) 2 shall be appointed by the Director  
11 of the Bureau of Land Management; and

12 “(C) 6 shall be appointed by the Secretary  
13 of the Treasury.

14 “(2) **QUALIFICATIONS.**—In making appoint-  
15 ments under paragraph (1), the agency heads  
16 shall—

17 “(A) appoint members who represent the  
18 various regions of the United States; and

19 “(B) ensure that the membership of the  
20 Board is—

21 “(i) apolitical; and

22 “(ii) fairly balanced in terms of—

23 “(I) the points of view rep-  
24 resented; and

25 “(II) the functions to be per-  
26 formed by the Board, by appointing—

1           “(aa) 3 members who are  
2 county elected officials, as of the  
3 date of appointment of the mem-  
4 bers, of whom—

5           “(AA) 1 shall be an  
6 elected official of a county  
7 that contains Federal land  
8 described in section 3(7)(A)  
9 of the Secure Rural Schools  
10 and Community Self-Deter-  
11 mination Act of 2000 (16  
12 U.S.C. 7102(7)(A));

13           “(BB) 1 shall be an  
14 elected official of a county  
15 that contains Federal land  
16 described in section 3(7)(B)  
17 of the Secure Rural Schools  
18 and Community Self-Deter-  
19 mination Act of 2000 (16  
20 U.S.C. 7102(7)(B)); and

21           “(CC) 1 shall be an  
22 elected official of a county  
23 that is eligible for a payment  
24 under section 401(c) of the  
25 Act of June 15, 1935 (com-



1 monly known as the ‘Refuge  
2 Revenue Sharing Act’) (49  
3 Stat. 383, chapter 261; 16  
4 U.S.C. 715s(c));

5 “(bb) 1 member to represent  
6 rural economic development in-  
7 terests;

8 “(cc) 6 members with expert  
9 experience in fund management  
10 or finance; and

11 “(dd) 1 member to represent  
12 education interests.

13 “(3) PROHIBITION.—A member of the Board,  
14 other than a member described in paragraph  
15 (2)(B)(ii)(II)(aa), shall not hold an office, position,  
16 or employment in any political party.

17 “(4) DATE.—The appointments of the members  
18 of the Board shall be made not later than 90 days  
19 after the date of enactment of this chapter.

20 “(c) CHAIRPERSON.—

21 “(1) IN GENERAL.—The Chairperson of the  
22 Board shall be selected from among the members of  
23 the Board by a majority vote of the members.

24 “(2) TERM OF SERVICE.—The Chairperson of  
25 the Board—

1           “(A) shall serve for a term of not longer  
2           than 4 years; and

3           “(B) may be reelected to serve an addi-  
4           tional term, subject to the condition that the  
5           Chairperson may serve for not more than 2  
6           consecutive terms.

7           “(d) TERMS.—

8           “(1) IN GENERAL.—The term of the members  
9           of the Board shall be 6 years, except that the agency  
10          heads shall designate staggered terms for the mem-  
11          bers initially appointed to the Board.

12          “(2) REAPPOINTMENT.—A member of the  
13          Board may be reappointed to serve an additional  
14          term, subject to the condition that the member may  
15          serve for not more than 2 consecutive terms.

16          “(e) VACANCY.—A vacancy on the Board shall be  
17          filled—

18               “(1) by not later than 90 days after the date  
19               on which the vacancy occurs; and

20               “(2) in the manner in which the original ap-  
21               pointment was made.

22          “(f) TRANSITIONS.—Any member of the Board may  
23          continue to serve after the expiration of the term for which  
24          the member was appointed or elected until a qualified suc-  
25          cessor has been appointed or elected.

1 “(g) MEETINGS AND QUORUM.—

2 “(1) MEETINGS.—

3 “(A) IN GENERAL.—The Board shall  
4 meet—

5 “(i) not less frequently than once each  
6 calendar year; and

7 “(ii)(I) at the call of—

8 “(aa) the Chairperson; or

9 “(bb) 3 or more members; or

10 “(II) as otherwise provided in the by-  
11 laws of the Corporation.

12 “(B) INITIAL MEETING.—Not later than  
13 150 days after the date of enactment of this  
14 chapter, the Board shall hold an initial meeting  
15 of the Board.

16 “(2) QUORUM.—A quorum of the Board, con-  
17 sisting of a majority of the members of the Board,  
18 shall be required to conduct any business of the  
19 Board.

20 “(3) APPROVAL OF BOARD ACTIONS.—Except  
21 as otherwise provided, the threshold for approving  
22 Board actions shall be as set forth in the bylaws of  
23 the Corporation.

24 “(h) REIMBURSEMENT OF EXPENSES.—

1           “(1) IN GENERAL.—A voting member of the  
2     Board—

3                     “(A) shall serve without pay; but

4                     “(B) subject to paragraph (2), may be re-  
5     imbursed for the actual and necessary traveling  
6     and subsistence expenses incurred by the mem-  
7     ber in the performance of duties for the Cor-  
8     poration.

9           “(2) MAXIMUM AMOUNT.—The amount of reim-  
10    bursement under paragraph (1)(B) may not exceed  
11    the amount that would be authorized under section  
12    5703 of title 5 for the payment of expenses and al-  
13    lowances for an individual employed intermittently in  
14    the Federal Government service.

15    **“§ 300205. Bylaws and duties**

16           “(a) IN GENERAL.—The Board shall adopt, and may  
17    amend, the bylaws of the Corporation.

18           “(b) BYLAWS.—The bylaws of the Corporation shall  
19    include, at a minimum—

20                     “(1) the duties and responsibilities of the  
21    Board; and

22                     “(2) the operational procedures of the Corpora-  
23    tion.

1       “(c) DUTIES AND RESPONSIBILITIES OF BOARD.—

2       The Board shall be responsible for actions of the Corpora-  
3       tion, including—

4               “(1)(A) employing individuals at the Corpora-  
5       tion to provide investment management services; or

6               “(B) retaining the services of investment man-  
7       agement services providers;

8               “(2) employing individuals at the Corporation  
9       to provide accounting and administrative services;

10              “(3) employing a manager of investments to  
11       manage the amounts authorized to be invested by  
12       the Board in accordance with subsection (d);

13              “(4) entering into a contract with 1 or more  
14       banking or trust entities to act as the custodian of  
15       the assets of the Fund; and

16              “(5) engaging other appropriate professional  
17       service providers to support the Board and the em-  
18       ployees of the Board in carrying out the duties and  
19       responsibilities of the Board under this chapter.

20       “(d) AUTHORITY OF MANAGER.—Subject to the di-  
21       rection of the Board, the manager shall have control over  
22       the amounts under the jurisdiction of the Board in the  
23       same manner as if the manager owned those amounts.

1   **“§ 300206. Authority of Corporation**

2       “Except as otherwise provided in this chapter, the  
3 Corporation, acting through the manager, shall have the  
4 authority—

5           “(1) to manage the Fund;

6           “(2) to make investments of amounts in the  
7 Fund under section 300207(d);

8           “(3) to make distributions from the Fund  
9 under section 300207(e)(2); and

10          “(4) to review certifications submitted by par-  
11 ticipating counties under section 303(a) of the Se-  
12 cure Rural Schools and Community Self-Determina-  
13 tion Act of 2000 (16 U.S.C. 7143(a)).

14   **“§ 300207. Establishment of Natural Resources Per-**  
15       **manent Fund**

16       “(a) ESTABLISHMENT.—There is established within  
17 the Corporation a permanent fund, to be known as the  
18 ‘Natural Resources Permanent Fund’, consisting of—

19           “(1) amounts deposited in the accounts under  
20 subsection (b);

21           “(2) amounts deposited by an eligible county or  
22 State under subsection (c)(1);

23           “(3) amounts credited to the Fund under sub-  
24 section (d)(3); and

1           “(4) amounts appropriated to the Fund under  
2       paragraph (1) of subsection (i), subject to paragraph  
3       (2) of that subsection.

4           “(b) ACCOUNTS.—Within the Fund, there are estab-  
5       lished the following accounts:

6           “(1) The Forest Service Account, consisting of  
7       the amounts transferred under section 3(b)(2) of the  
8       Forest Management for Rural Stability Act.

9           “(2) The Bureau of Land Management Ac-  
10       count, consisting of the amounts transferred under  
11       subsections (c)(2) and (d)(2) of section 3 of the For-  
12       est Management for Rural Stability Act.

13           “(3) The United States Fish and Wildlife Serv-  
14       ice Account, consisting of the amounts transferred  
15       under section 3(e)(2) of the Forest Management for  
16       Rural Stability Act.

17           “(4) The Voluntary County Savings Account,  
18       consisting of voluntary contributions of additional  
19       funds transferred under subsection (c)(2)(A)(i).

20           “(c) VOLUNTARY CONTRIBUTIONS OF ADDITIONAL  
21       FUNDS.—

22           “(1) IN GENERAL.—Subject to paragraph (2),  
23       the Corporation may at any time accept from eligible  
24       counties and States voluntary contributions of

1 amounts to be deposited in the Fund, for investment  
2 by the Corporation, in accordance with this chapter.

3 “(2) LIMITATION.—Any amounts contributed  
4 under paragraph (1)—

5 “(A) shall be—

6 “(i) transferred to the Voluntary  
7 County Savings Account; and

8 “(ii) maintained within a segregated  
9 account in that Account for each contrib-  
10 uting county; and

11 “(B) may only be distributed to the eligible  
12 county or State that deposited the amounts, in  
13 accordance with this chapter and paragraph  
14 (3).

15 “(3) DISTRIBUTIONS.—Distributions to an eli-  
16 gible county or a State under paragraph (2)(B)—

17 “(A) shall be made by not later than 30  
18 days after the date of receipt of a written re-  
19 quest of the applicable eligible county or State;

20 “(B) shall not be subject to any restric-  
21 tions or limitations associated with distributions  
22 made from an account established by paragraph  
23 (1), (2), or (3) of subsection (b); and



1           “(C) may only be used for a governmental  
2           purpose that complies with the budget laws of  
3           the applicable State.

4           “(d) INVESTMENTS OF FUND.—

5           “(1) INVESTMENT POLICY.—

6           “(A) IN GENERAL.—Not later than 180  
7           days after the date of enactment of this chap-  
8           ter, the Board shall develop an investment pol-  
9           icy for the investment of amounts in the Fund.

10          “(B) REQUIREMENT.—For purposes of the  
11          investment policy developed under subpara-  
12          graph (A), the Corporation shall—

13                 “(i) seek to achieve at least a 5-per-  
14                 cent rate of return on investments of the  
15                 Fund, net of inflation; and

16                 “(ii) adopt asset management strate-  
17                 gies that are consistent with the standard  
18                 of care established under the Uniform Pru-  
19                 dent Management of Institutional Funds  
20                 Act of 2007 (D.C. Code 44–1631 et seq.).

21          “(C) PERIODIC UPDATES.—The Corpora-  
22          tion shall—

23                 “(i) not less frequently than annually,  
24                 review the investment policy developed  
25                 under subparagraph (A); and

1                   “(ii) based on a review conducted  
2                   under clause (i), modify the investment  
3                   policy as the Corporation determines to be  
4                   appropriate.

5                   “(2) INVESTMENT SERVICES.—For purposes of  
6                   investing amounts in the Fund, the Corporation  
7                   may—

8                   “(A) employ individuals at the Corporation  
9                   to provide investment management services; or

10                  “(B) retain the services of investment  
11                  management services providers.

12                  “(3) INCOME.—Income from any investments of  
13                  amounts from an account within the Fund shall be  
14                  credited to the applicable account within the Fund.

15                  “(e) EXPENDITURES FROM FUND.—

16                  “(1) AVAILABILITY OF FUNDS.—For each fiscal  
17                  year, the Corporation shall make available for dis-  
18                  tribution in accordance with this subsection 4.5 per-  
19                  cent of amounts in each account within the Fund es-  
20                  tablished by paragraph (1), (2), or (3) of subsection  
21                  (b), as determined by the Corporation, based on—

22                  “(A) for the initial 3 fiscal years during  
23                  which the Fund is in operation, the average fis-  
24                  cal year-end balance of the applicable account;  
25                  and

1           “(B) thereafter, the average fiscal year-end  
2 balance of the applicable account during the 3-  
3 year period preceding the date of the deter-  
4 mination.

5           “(2) DISTRIBUTIONS.—

6           “(A) FOREST SERVICE ACCOUNT AND BU-  
7 REAU OF LAND MANAGEMENT ACCOUNT.—

8           “(i) IN GENERAL.—For each fiscal  
9 year, of the amounts in each of the Forest  
10 Service and the Bureau of Land Manage-  
11 ment Accounts within the Fund available  
12 for distribution for the fiscal year, as de-  
13 termined under paragraph (1)—

14           “(I) 85 percent shall be used to  
15 make payments to eligible States and  
16 eligible counties in accordance with  
17 title I of the Secure Rural Schools  
18 and Community Self-Determination  
19 Act of 2000 (16 U.S.C. 7111 et seq.)  
20 and clause (ii); and

21           “(II) 15 percent shall be used to  
22 make payments to eligible States and  
23 eligible counties in accordance with  
24 title III of the Secure Rural Schools

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

3 “(ii) CALCULATION AND DISTRIBUTION OF AUTHORIZED PAYMENTS.—

4  
5 “(I) AVAILABILITY.—Not later  
6 than 14 days after the beginning of  
7 each fiscal year, the Corporation shall  
8 submit to the Secretary concerned a  
9 description of the amount available in  
10 each of the Forest Service and the  
11 Bureau of Land Management Ac-  
12 counts within the Fund available to  
13 make payments for the fiscal year, as  
14 determined under paragraph (1), to—

15 “(aa) eligible States under  
16 subsection (a) of section 101 of  
17 the Secure Rural Schools and  
18 Community Self-Determination  
19 Act of 2000 (16 U.S.C. 7111),  
20 with respect to the Forest Service  
21 Account; and

22 “(bb) eligible counties under  
23 subsection (b) of that section,  
24 with respect to the Bureau of  
25 Land Management Account.

1                   “(II) CALCULATION.—Not later  
2 than 14 days after the date on which  
3 the Corporation submits the informa-  
4 tion under subclause (I), based on the  
5 information provided under that sub-  
6 clause and the amounts otherwise  
7 available to the Secretary concerned  
8 for the fiscal year to make payments  
9 to eligible counties under the Secure  
10 Rural Schools and Community Self-  
11 Determination Act of 2000 (16  
12 U.S.C. 7101 et seq.), as determined  
13 by the Secretary concerned, the Sec-  
14 retary concerned shall, based on the  
15 formulas for authorized payments es-  
16 tablished under that Act, calculate  
17 and submit to the Corporation the au-  
18 thorized payment amount for each eli-  
19 gible county, including—

20                   “(aa) the amount of the au-  
21 thorized payment for each eligible  
22 county to be paid from the appli-  
23 cable account in the Fund; and

24                   “(bb) the amount of the au-  
25 thorized payment to be paid for

1 each eligible county using  
2 amounts made available under  
3 section 402 of the Secure Rural  
4 Schools and Community Self-De-  
5 termination Act of 2000 (16  
6 U.S.C. 7152).

7 “(III) DISTRIBUTION.—Subject  
8 to subparagraphs (C) and (D), not  
9 later than 40 days after the date on  
10 which the Secretary concerned sub-  
11 mits the information to the Corpora-  
12 tion under subclause (II)—

13 “(aa) the Corporation  
14 shall—

15 “(AA) distribute from  
16 the Forest Service Account  
17 within the Fund to States,  
18 for redistribution to the eli-  
19 gible counties, the amount of  
20 the authorized payment to  
21 be paid to eligible counties  
22 within the State under sec-  
23 tion 101(a) of the Secure  
24 Rural Schools and Commu-  
25 nity Self-Determination Act

1 of 2000 (16 U.S.C.  
2 7111(a)), as determined  
3 under subclause (II)(aa), to  
4 be used for the purposes au-  
5 thorized under title I or III  
6 of that Act (16 U.S.C. 7111  
7 et seq.);

8 “(BB) distribute from  
9 the Bureau of Land Man-  
10 agement Account within the  
11 Fund to the eligible counties  
12 the amount of the author-  
13 ized payment to be paid to  
14 eligible counties under sec-  
15 tion 101(b) of the Secure  
16 Rural Schools and Commu-  
17 nity Self-Determination Act  
18 of 2000 (16 U.S.C.  
19 7111(b)), as determined  
20 under subclause (II)(aa), to  
21 be used for the purposes au-  
22 thorized under title I or III  
23 of that Act (16 U.S.C. 7111  
24 et seq.); and

“(CC) submit to the Secretary concerned a description of the amounts distributed under subitems (AA) and (BB); and

“(bb) except as provided in subparagraph (C)(ii)(II), the Secretary concerned shall pay to eligible counties, and to the State for redistribution to eligible counties, the amount of the authorized payments under subclause (II)(bb).

“(B) UNITED STATES FISH AND WILDLIFE SERVICE ACCOUNT.—

“(i) IN GENERAL.—For each fiscal year, amounts in the United States Fish and Wildlife Service Account within the Fund available for distribution for the fiscal year, as determined under paragraph (1), shall be used to make payments to eligible counties, in accordance with section 401(c) of the Act of June 15, 1935 (commonly known as the ‘Refuge Revenue



Sharing Act') (49 Stat. 383, chapter 261;  
16 U.S.C. 715s(c)) and clause (ii).

“(ii) CALCULATION AND DISTRIBUTION OF AUTHORIZED PAYMENTS.—

“(I) AVAILABILITY.—Not later than 14 days after the beginning of each fiscal year, the Corporation shall submit to the Secretary concerned a description of the amount available in United States Fish and Wildlife Service Account within the Fund available to make authorized payments to eligible counties for the fiscal year under section 401(c) of the Act of June 15, 1935 (commonly known as the ‘Refuge Revenue Sharing Act’) (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)), as determined under paragraph (1).

“(II) CALCULATION.—Not later than 14 days after the date on which the Corporation submits the information under subclause (I), based on the information provided under that subclause and the amounts otherwise available to the Secretary concerned

1 for the fiscal year to make payments  
2 to eligible counties under section  
3 401(c) of the Act of June 15, 1935  
4 (commonly known as the 'Refuge Revenue  
5 Sharing Act') (49 Stat. 383,  
6 chapter 261; 16 U.S.C. 715s(c)), as  
7 determined by the Secretary concerned,  
8 the Secretary concerned shall,  
9 based on the formulas for authorized  
10 payments established under that Act,  
11 calculate and submit to the Corporation  
12 the authorized payment amount  
13 for each eligible county, including—

14 “(aa) the amount of the authorized  
15 payment for each eligible  
16 county to be paid from the  
17 United States Fish and Wildlife  
18 Service Account within the Fund;  
19 and

20 “(bb) the amount of the authorized  
21 payment to be paid for  
22 each eligible county using  
23 amounts made available under  
24 section 401(c) of the Act of June  
25 15, 1935 (commonly known as

the ‘Refuge Revenue Sharing Act’) (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)).

“(III) DISTRIBUTION.—Subject to subparagraphs (C) and (D), not later than 40 days after the date on which the Secretary concerned submits the information to the Corporation under subclause (II)—

“(aa) the Corporation shall—

“(AA) distribute from the United States Fish and Wildlife Service Account within the Fund to the eligible counties the amount of the authorized payment to be paid from that Account to eligible counties, as determined under subclause (II)(aa), to be used for the purposes authorized under section 401(c)(5)(C) of the Act of June 15, 1935 (commonly known as the ‘Refuge

Revenue Sharing Act') (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)(5)(C)); and

“(BB) submit to the Secretary concerned a description of the amounts distributed under subitem (AA); and

“(bb) except as provided in subparagraph (C)(ii)(II), the Secretary concerned shall pay to the eligible counties the amount to be paid for eligible counties under subelause (II)(bb).

“(C) MINIMUM PAYMENT AMOUNT.—

“(i) IN GENERAL.—Notwithstanding subparagraphs (A) and (B), the minimum amount of a payment to be distributed to a State or eligible county under subitem (AA) or (BB) of subparagraph (A)(ii)(III)(aa) or subparagraph (B)(ii)(III)(aa)(AA) for a fiscal year shall be the amount of the payment made to the State or eligible county for fiscal year 2017 under the Secure Rural Schools and

1 Community Self-Determination Act of  
2 2000 (16 U.S.C. 7101 et seq.) or section  
3 401(c) of the Act of June 15, 1935 (com-  
4 monly known as the ‘Refuge Revenue  
5 Sharing Act’) (49 Stat. 383, chapter 261;  
6 16 U.S.C. 715s(c)), as applicable (as ad-  
7 justed to reflect changes during the period  
8 beginning on October 1, 2017, in the Con-  
9 sumer Price Index for All Urban Con-  
10 sumers published by the Bureau of Labor  
11 Statistics of the Department of Labor).

12 “(ii) OBLIGATION OF SECRETARY.—

13 The Secretary concerned—

14 “(I) shall only make a payment  
15 to a State or eligible county under  
16 subparagraph (A)(ii)(III)(bb) or  
17 (B)(ii)(III)(bb) for a fiscal year if the  
18 Secretary concerned determines that  
19 the amount of the payment to be dis-  
20 tributed from the Fund to the State  
21 or eligible county under subitem (AA)  
22 or (BB) of subparagraph  
23 (A)(ii)(III)(aa) or subparagraph  
24 (B)(ii)(III)(aa)(AA) is less than the

1 minimum payment amount required  
2 under clause (i); and

3 “(II) if the Secretary concerned  
4 determines that the amount of a pay-  
5 ment to be distributed to a State or  
6 eligible county under subitem (AA) or  
7 (BB) of subparagraph (A)(ii)(III)(aa)  
8 or subparagraph (B)(ii)(III)(aa)(AA)  
9 would exceed the minimum payment  
10 amount required under clause (i),  
11 shall not make the payment otherwise  
12 required under subparagraph  
13 (A)(ii)(III)(bb) or (B)(ii)(III)(bb), as  
14 applicable, for the fiscal year.

15 “(D) MAXIMUM PAYMENT AMOUNT.—

16 “(i) IN GENERAL.—Notwithstanding  
17 subparagraphs (A) and (B), in any case in  
18 which the total amount of payments to be  
19 distributed by the Corporation to States or  
20 eligible counties, as applicable, from an ac-  
21 count within the Fund for a fiscal year, as  
22 calculated under subparagraph  
23 (A)(ii)(II)(aa) or (B)(ii)(II)(aa), as appli-  
24 cable, would exceed the applicable highest  
25 historic payment, the Corporation shall re-

duce the total amount to be distributed under subitem (AA) or (BB) of subparagraph (A)(ii)(III)(aa) or subparagraph (B)(ii)(III)(aa)(AA), as applicable, to the amount of the applicable highest historic payment.

“(ii) EFFECT OF MEETING MAXIMUM.—For any fiscal year for which amounts in the Fund are sufficient to ensure that each State and eligible county receives from an account within the Fund for a fiscal year, as calculated under subparagraph (A)(ii)(II)(aa) or (B)(ii)(II)(aa), as applicable, distributions equal to the applicable highest historic payment, such that the distributions from the account are reduced under clause (i), the States and eligible counties shall receive, in addition to those payments from the Fund, any payments authorized for the State or eligible county under—

“(I) the sixth paragraph under the heading ‘FOREST SERVICE’ in the Act of May 23, 1908 (35 Stat. 260, chapter 192; 16 U.S.C. 500), and sec-

1                   tion 13 of the Act of March 1, 1911  
2                   (commonly known as the ‘Weeks  
3                   Law’) (36 Stat. 963, chapter 186; 16  
4                   U.S.C. 500);

5                   “(II) subsection (a) of title II of  
6                   the Act of August 28, 1937 (50 Stat.  
7                   875, chapter 876; 43 U.S.C. 2605);

8                   “(III) the first section of the Act  
9                   of May 24, 1939 (53 Stat. 753, chap-  
10                  ter 144; 43 U.S.C. 2621); or

11                  “(IV) section 401(c) of the Act of  
12                  June 15, 1935 (commonly known as  
13                  the ‘Refuge Revenue Sharing Act’)  
14                  (49 Stat. 383, chapter 261; 16 U.S.C.  
15                  715s(c)).

16                  “(3) ADMINISTRATIVE EXPENSES.—

17                  “(A) IN GENERAL.—For each fiscal year,  
18                  of the total amounts in the Fund, there shall be  
19                  made available to the Corporation from the  
20                  Fund for the payment of administrative ex-  
21                  penses described in subparagraph (B)—

22                  “(i) if the total amounts in the Fund  
23                  as of the date of the determination is not  
24                  less than \$100,000,000, an amount equal



1 to not more than 0.5 percent of the total  
2 amounts in the Fund, as of that date; and  
3 “(ii) if the total amounts in the Fund  
4 as of the date of the determination is less  
5 than \$100,000,000, an amount equal to  
6 not more than 1.0 percent of the total  
7 amounts in the Fund, as of that date.

8 “(B) USE.—Amounts made available for  
9 administrative expenses under subparagraph  
10 (A) may be used by the Corporation—

11 “(i) to ensure that amounts in Fund  
12 are managed in a manner consistent with  
13 the asset management strategies adopted  
14 under subsection (d)(1);

15 “(ii) to pay other administrative costs  
16 relating to the Fund, including the costs of  
17 managing the Fund, conducting audits of  
18 the Fund, and complying with reporting  
19 requirements relating to the Fund; and

20 “(iii) to reimburse members of the  
21 Board for actual and necessary traveling  
22 and subsistence expenses, in accordance  
23 with section 300204(h).

24 “(4) ELECTIONS TO OPT OUT AND OPT IN.—

25 “(A) OPTING OUT.—

1                   “(i) IN GENERAL.—Not later than 3  
2                   years after the date of enactment of this  
3                   chapter, a county described in clause (i) or  
4                   (ii) of section 300201(6)(A) may make a  
5                   1-time election to opt out of distributions  
6                   from the Fund under this chapter by sub-  
7                   mitting to the Secretary concerned a writ-  
8                   ten notice of the election.

9                   “(ii) EFFECT.—Subject to subpara-  
10                  graph (B), an election under clause (i) to  
11                  opt out of distributions from the Fund  
12                  shall be applicable for—

13                  “(I) the fiscal year during which  
14                  the notice under that clause is sub-  
15                  mitted; and

16                  “(II) each subsequent fiscal year.

17                  “(iii) NO EFFECT ON OTHER PAY-  
18                  MENTS.—An election by a county to opt  
19                  out of distributions from the Fund under  
20                  clause (i) shall not affect the eligibility of  
21                  the county to receive any payment author-  
22                  ized for the county under—

23                  “(I) the sixth paragraph under  
24                  the heading ‘FOREST SERVICE’ in the  
25                  Act of May 23, 1908 (35 Stat. 260,

1 chapter 192; 16 U.S.C. 500), and sec-  
2 tion 13 of the Act of March 1, 1911  
3 (commonly known as the ‘Weeks  
4 Law’) (36 Stat. 963, chapter 186; 16  
5 U.S.C. 500);

6 “(II) subsection (a) of title II of  
7 the Act of August 28, 1937 (50 Stat.  
8 875, chapter 876; 43 U.S.C. 2605);

9 “(III) the first section of the Act  
10 of May 24, 1939 (53 Stat. 753, chap-  
11 ter 144; 43 U.S.C. 2621); or

12 “(IV) section 401(c) of the Act of  
13 June 15, 1935 (commonly known as  
14 the ‘Refuge Revenue Sharing Act’)  
15 (49 Stat. 383, chapter 261; 16 U.S.C.  
16 715s(c)).

17 “(iv) TREATMENT.—A county de-  
18 scribed in clause (i) or (ii) of section  
19 300201(6)(A) that has not submitted to  
20 the Secretary concerned a written notice of  
21 an election to opt out of distributions from  
22 the Fund under clause (i) shall be deemed  
23 to have opted in to those distributions.

24 “(B) NOTICE TO OPT IN.—A county that  
25 has elected to opt out of distributions from the

1 Fund under subparagraph (A) may opt back in  
2 to the distributions for all subsequent fiscal  
3 years by submitting to the Secretary concerned,  
4 by not later than the date that is 2 years after  
5 the date on which the county submits the writ-  
6 ten notice under subparagraph (A)(i), a notice  
7 of the intent of the county to opt back in.

8 “(f) REPORTS.—

9 “(1) QUARTERLY REPORTS.—Not later than 90  
10 days after the date of enactment of this chapter and  
11 every 90 days thereafter, the Corporation shall sub-  
12 mit to the Secretary of the Treasury a quarterly re-  
13 port that describes, with full transparency, for the  
14 period covered by report—

15 “(A) the assets of the Fund, including a  
16 description of the investment policy used for the  
17 Fund; and

18 “(B) the performance of investments in the  
19 Fund.

20 “(2) ANNUAL REPORT.—Annually, the Corpora-  
21 tion shall submit to the Committee on Finance of  
22 the Senate and the Committee on Ways and Means  
23 of the House of Representatives, and make pub-  
24 lically available in an online searchable database in  
25 a machine-readable format, a report describing the

1 activities of the Corporation for the period covered  
2 by the report, including, at a minimum, information  
3 relating to—

4 “(A) the growth of the Fund; and

5 “(B) applicable sources of revenue.

6 “(g) ANNUAL AUDITS.—Not later than 1 year after  
7 the date of enactment of this chapter and annually there-  
8 after, the Inspector General of the Department of the  
9 Treasury shall conduct an audit of the Fund.

10 “(h) OVERSIGHT.—The Inspector General of the De-  
11 partment of the Treasury shall conduct periodic reviews  
12 of the exercise by the Corporation of the fiduciary and  
13 statutory duties of the Corporation.

14 “(i) FUNDING.—

15 “(1) IN GENERAL.—Out of any funds in the  
16 Treasury not otherwise appropriated, ~~for each appli-~~  
17 ~~cable fiscal year,~~ the Secretary of the Treasury shall  
18 transfer to the Fund such sums as are necessary to  
19 ensure that the required minimum payment amounts  
20 under subsection (e)(2)(C)(i) can be provided ~~for the~~  
21 ~~fiscal year.~~

22 “(2) ALLOCATION AMONG ACCOUNTS.—The  
23 amounts appropriated to the Fund under paragraph  
24 (1) shall be allocated among the Forest Service Ac-  
25 count, the Bureau of Land Management Account,

1       and the United States Fish and Wildlife Service Ac-  
2       count in a manner that ensures that—

3               “(A) the amount allocated to the Forest  
4       Service Account is determined in accordance  
5       with the ratio that—

6               “(i) the total amount of State pay-  
7       ments under the Secure Rural Schools and  
8       Community Self-Determination Act of  
9       2000 (16 U.S.C. 7101 et seq.) for fiscal  
10      year 2017; bears to

11              “(ii) an amount equal to the sum of—

12               “(I) the full funding amount for  
13       the Secure Rural Schools and Com-  
14       munity Self-Determination Act of  
15       2000 (16 U.S.C. 7101 et seq.) for fis-  
16       cal year 2017; and

17               “(II) the total amount of pay-  
18       ments to counties under section  
19       401(c) of the Act of June 15, 1935  
20       (commonly known as the ‘Refuge Rev-  
21       enue Sharing Act’) (49 Stat. 383,  
22       chapter 261; 16 U.S.C. 715s(e)), for  
23       fiscal year 2017;

1           “(B) the amount allocated to the Bureau  
2 of Land Management Account is determined in  
3 accordance with the ratio that—

4           “(i) the total amount of county pay-  
5 ments under the Secure Rural Schools and  
6 Community Self-Determination Act of  
7 2000 (16 U.S.C. 7101 et seq.) for fiscal  
8 year 2017; bears to

9           “(ii) an amount equal to the sum of—

10           “(I) the full funding amount for  
11 the Secure Rural Schools and Com-  
12 munity Self-Determination Act of  
13 2000 (16 U.S.C. 7101 et seq.) for fis-  
14 cal year 2017; and

15           “(II) the total amount of pay-  
16 ments to counties under section  
17 401(e) of the Act of June 15, 1935  
18 (commonly known as the ‘Refuge Rev-  
19 enue Sharing Act’) (49 Stat. 383,  
20 chapter 261; 16 U.S.C. 715s(e)), for  
21 fiscal year 2017; and

22           “(C) the amount allocated to the United  
23 States Fish and Wildlife Service Account is de-  
24 termined in accordance with the ratio that—

1 “(i) the total amount of payments to  
2 counties under section 401(c) of the Act of  
3 June 15, 1935 (commonly known as the  
4 ‘Refuge Revenue Sharing Act’) (49 Stat.  
5 383, chapter 261; 16 U.S.C. 715s(c)) for  
6 fiscal year 2017; bears to

7 “(ii) an amount equal to the sum of—

8 “(I) the full funding amount for  
9 the Secure Rural Schools and Com-  
10 munity Self-Determination Act of  
11 2000 (16 U.S.C. 7101 et seq.) for fis-  
12 cal year 2017; and

13 “(II) the total amount of pay-  
14 ments to counties under section  
15 401(c) of the Act of June 15, 1935  
16 (commonly known as the ‘Refuge Rev-  
17 enue Sharing Act’) (49 Stat. 383,  
18 chapter 261; 16 U.S.C. 715s(c)), for  
19 fiscal year 2017.

20 “(j) AGENCY REPORTING.—

21 “(1) IN GENERAL.—Not later than 1 year after  
22 the date of enactment of this chapter and annually  
23 thereafter, the Secretary of Agriculture and the Sec-  
24 retary of the Interior shall submit to the Corpora-  
25 tion information describing activities on Federal



land described in subparagraphs (A) and (B), respectively, of section 3(7) of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7102(7)), on a county-by-county basis, for the period covered by the report, including information regarding—

“(A) timber sales and associated acres treated, volumes sold and harvested, and revenues generated, including, at a minimum—

“(i) commercial treatment; and

“(ii) precommercial thinning;

“(B) stewardship projects, including, at a minimum—

“(i) commercial treatment;

“(ii) prescribed fire; and

“(iii) precommercial thinning;

“(C) road work;

“(D) reforestation and associated acres treated, including, at a minimum—

“(i) commercial treatment;

“(ii) prescribed fire; and

“(iii) precommercial thinning;

“(E) habitat created;

“(F) culverts replaced; and

“(G) miles of stream restoration.

1           “(2) PUBLICATION.—Promptly after receipt of  
2           the information under paragraph (1), the Corpora-  
3           tion shall make the information publically available  
4           in an online searchable database in a machine-read-  
5           able format.”.

6           (b) CLERICAL AMENDMENT.—The table of chapters  
7           for subtitle III of title 36, United States Code, is amended  
8           by inserting after the item relating to chapter 3001 the  
9           following:

**“3002. Forest and Refuge County Foundation .....300201”.**

10       **SEC. 3. TRANSFER OF AMOUNTS TO FUND.**

11           (a) DEFINITION OF ELIGIBLE NONELECTING COUN-  
12       TY.—In this section, the term “eligible nonelecting coun-  
13       ty” means—

14               (1) in subsections (b), (c), and (d), a county  
15       that—

16                       (A) is eligible for a payment under the Se-  
17                       cure Rural Schools and Community Self-Deter-  
18                       mination Act of 2000 (16 U.S.C. 7101 et seq.);  
19                       and

20                       (B) has not elected to opt out of distribu-  
21                       tions from the Natural Resources Permanent  
22                       Fund under section 300207(e)(4)(A) of title 36,  
23                       United States Code; and

24               (2) in subsection (e), a county that—

1 (A) is eligible for a payment under section  
2 401(c) of the Act of June 15, 1935 (commonly  
3 known as the “Refuge Revenue Sharing Act”)  
4 (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c));  
5 and

6 (B) has not elected to opt out of distribu-  
7 tions from the Natural Resources Permanent  
8 Fund under section 300207(e)(4)(A) of title 36,  
9 United States Code.

10 (b) SUSPENSION OF PAYMENTS UNDER ACT OF MAY  
11 23, 1908, AND ACT OF MARCH 1, 1911.—Except as pro-  
12 vided in section 300207(e)(2)(D)(ii) of title 36, United  
13 States Code, for fiscal year 2019 and each fiscal year  
14 thereafter—

15 (1) all payments authorized for eligible non-  
16 electing counties under the sixth paragraph under  
17 the heading “FOREST SERVICE” in the Act of May  
18 23, 1908 (35 Stat. 260, chapter 192; 16 U.S.C.  
19 500), and section 13 of the Act of March 1, 1911  
20 (commonly known as the “Weeks Law”) (36 Stat.  
21 963, chapter 186; 16 U.S.C. 500), shall be sus-  
22 pended; and

23 (2) the Secretary of the Treasury shall transfer  
24 to the Forest Service Account within the Natural  
25 Resources Permanent Fund established by section

1        300207(b)(1) of title 36, United States Code,  
2        amounts equal to the amounts that would have oth-  
3        erwise been distributed as payments to eligible non-  
4        electing counties under the sixth paragraph under  
5        the heading “FOREST SERVICE” in the Act of May  
6        23, 1908 (35 Stat. 260, chapter 192; 16 U.S.C.  
7        500), and section 13 of the Act of March 1, 1911  
8        (commonly known as the “Weeks Law”) (36 Stat.  
9        963, chapter 186; 16 U.S.C. 500).

10       (c) SUSPENSION OF PAYMENTS UNDER ACT OF AU-  
11       GUST 28, 1937.—Except as provided in section  
12       300207(e)(2)(D)(ii) of title 36, United States Code, for  
13       fiscal year 2019 and each fiscal year thereafter—

14            (1) all payments authorized for eligible non-  
15        electing counties under subsection (a) of title II of  
16        the Act of August 28, 1937 (50 Stat. 875, chapter  
17        876; 43 U.S.C. 2605), shall be suspended; and

18            (2) the Secretary of the Treasury shall transfer  
19        to the Bureau of Land Management Account within  
20        the Natural Resources Permanent Fund established  
21        by section 300207(b)(2) of title 36, United States  
22        Code, amounts equal to the amounts that would  
23        have otherwise been distributed as payments to eligi-  
24        ble nonelecting counties under subsection (a) of title

1 II of the Act of August 28, 1937 (50 Stat. 875,  
2 chapter 876; 43 U.S.C. 2605).

3 (d) SUSPENSION OF PAYMENTS UNDER ACT OF MAY  
4 24, 1939.—Except as provided in section  
5 300207(c)(2)(D)(ii) of title 36, United States Code, for  
6 fiscal year 2019 and each fiscal year thereafter—

7 (1) all payments authorized for eligible non-  
8 electing counties under the first section of the Act  
9 of May 24, 1939 (53 Stat. 753, chapter 144; 43  
10 U.S.C. 2621), shall be suspended; and

11 (2) the Secretary of the Treasury shall transfer  
12 to the Bureau of Land Management Account within  
13 the Natural Resources Permanent Fund established  
14 by section 300207(b)(2) of title 36, United States  
15 Code, amounts equal to the amounts that would  
16 have otherwise been distributed as payments to eligi-  
17 ble nonelecting counties under the first section of  
18 the Act of May 24, 1939 (53 Stat. 753, chapter  
19 144; 43 U.S.C. 2621).

20 (e) SUSPENSION OF PAYMENTS UNDER REFUGE  
21 REVENUE SHARING ACT.—Except as provided in section  
22 300207(c)(2)(D)(ii) of title 36, United States Code, for  
23 fiscal year 2019 and each fiscal year thereafter—

24 (1) all payments authorized for eligible non-  
25 electing counties under section 401(c) of the Act of

1 June 15, 1935 (commonly known as the “Refuge  
2 Revenue Sharing Act”) (49 Stat. 383, chapter 261;  
3 16 U.S.C. 715s(c)), shall be suspended; and

4 (2) the Secretary of the Treasury shall transfer  
5 to the United States Fish and Wildlife Service Ac-  
6 count within the Natural Resources Permanent  
7 Fund established by section 300207(b)(3) of title  
8 36, United States Code, amounts equal to the  
9 amounts that would have otherwise been distributed  
10 as payments to eligible nonelecting counties under  
11 section 401(c) of the Act of June 15, 1935 (com-  
12 monly known as the “Refuge Revenue Sharing Act”)  
13 (49 Stat. 383, chapter 261; 16 U.S.C. 715s(c)).

14 **SEC. 4. AMENDMENTS TO SECURE RURAL SCHOOLS AND**  
15 **COMMUNITY SELF-DETERMINATION ACT OF**  
16 **2000.**

17 (a) **DEFINITIONS.**—Section 3 of the Secure Rural  
18 Schools and Community Self-Determination Act of 2000  
19 (16 U.S.C. 7102) is amended—

20 (1) in paragraph (1)(B), by striking “and para-  
21 graph (8)(A)”;

22 (2) in paragraph (2)—

23 (A) in subparagraph (A)(ii), by inserting  
24 “described in paragraph (7)(A)” after “Federal  
25 land”; and

1 (B) in subparagraph (B)(ii), by striking  
2 “and paragraph (9)(B)(i”;  
3 (3) in paragraph (4)—

4 (A) in subparagraph (A), by striking  
5 “and” at the end;

6 (B) in subparagraph (B), by striking the  
7 period at the end and inserting “; and”; and

8 (C) by adding at the end the following:

9 “(C) has not elected to opt out of distribu-  
10 tions from the Natural Resources Permanent  
11 Fund under section 300207(e)(4)(A) of title 36,  
12 United States Code.”;

13 (4) by striking paragraphs (8) and (9) and in-  
14 serting the following:

15 “(8) 50-PERCENT ADJUSTED SHARE.—The  
16 term ‘50-percent adjusted share’ means the quotient  
17 obtained by dividing—

18 “(A) the number equal to the total of all  
19 50-percent payments received by an eligible  
20 county during the eligibility period; by

21 “(B) the number equal to the sum of all  
22 50-percent payments received by all eligible  
23 counties during the eligibility period.”;

24 (5) by redesignating paragraph (10) as para-  
25 graph (9);

1           (6) by striking paragraph (11) and inserting  
2           the following:

3 “(10) FULL FUNDING AMOUNT.—The term ‘full  
4 funding amount’ means—

5 “(A) for fiscal year 2008, \$500,000,000;

6 “(B) for each of fiscal years 2009 through  
7 2011, an amount equal to 90 percent of the full  
8 funding amount for the preceding fiscal year;

9               “(C) for each of fiscal years 2012 through  
10             2015, an amount equal to 95 percent of the full  
11             funding amount for the preceding fiscal year;

12 “(D) for fiscal year 2017, an amount equal  
13 to 95 percent of the full funding amount for fis-  
14 cal year 2015;

15 “(E) for fiscal year 2018, an amount equal  
16 to 95 percent of the full funding amount for fis-  
17 cal year 2017; and

18 “(F) for fiscal year 2019 and each fiscal  
19 year thereafter—

20 “(i) for purposes of the calculations  
21 under section 101(a), an amount equal to  
22 the greater of—

23 “(I) the amount distributed from  
24 the Forest Service Account within the  
25 Natural Resources Permanent Fund



1 under section 300207(e)(2)(A) of title  
2 36, United States Code; and

3 “(II) the total amount of all  
4 State payments for fiscal year 2017  
5 (as adjusted to reflect changes during  
6 the period beginning on October 1,  
7 2017, in the Consumer Price Index  
8 for All Urban Consumers published by  
9 the Bureau of Labor Statistics of the  
10 Department of Labor); and

11 “(ii) for purposes of the calculations  
12 under section 101(b), an amount equal to  
13 the greater of—

14 “(I) the amount distributed from  
15 the Bureau of Land Management Ac-  
16 count within the Natural Resources  
17 Permanent Fund under section  
18 300207(e)(2)(A) of title 36, United  
19 States Code; and

20 “(II) the total amount of all  
21 county payments for fiscal year 2017  
22 (as adjusted to reflect changes during  
23 the period beginning on October 1,  
24 2017, in the Consumer Price Index  
25 for All Urban Consumers published by

1 the Bureau of Labor Statistics of the  
2 Department of Labor).”;

3 (7) by redesignating paragraphs (12) through  
4 (17) as paragraphs (11) through (16), respectively;  
5 and

6 (8) in paragraph (11) (as so redesignated)—

7 (A) in subparagraph (A), by inserting  
8 “containing Federal land described in para-  
9 graph (7)(A)” after “eligible county”; and

10 (B) in subparagraph (B), by inserting  
11 “containing Federal land described in para-  
12 graph (7)(A)” after “eligible counties”.

13 (b) PERMANENT AUTHORIZATION; SOURCE OF PAY-  
14 MENT AMOUNTS.—

15 (1) CALCULATION OF PAYMENTS.—Section 101  
16 of the Secure Rural Schools and Community Self-  
17 Determination Act of 2000 (16 U.S.C. 7111) is  
18 amended by striking “of fiscal years 2008 through  
19 2015, 2017, and 2018” each place it appears and  
20 inserting “fiscal year”.

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

24 (A) in paragraph (1)—

1 (i) in subparagraph (A), by inserting  
2 “through fiscal year 2018” after “second  
3 fiscal year thereafter”; and

4 (ii) by adding at the end the fol-  
5 lowing:

6 “(E) FISCAL YEAR 2019 AND THERE-  
7 AFTER.—For fiscal year 2019 and each fiscal  
8 year thereafter—

9 “(i) the election otherwise required by  
10 subparagraph (A) shall not apply; and

11 “(ii) each affected county shall receive  
12 payments in accordance with chapter 3002  
13 of title 36, United States Code, unless the  
14 affected county elects to opt out of dis-  
15 tributions under section 300207(e)(4)(A)  
16 of that title.”;

17 (B) in paragraph (2)(B), by striking  
18 “through fiscal year 2015 and for fiscal years  
19 2017 and 2018”; and

20 (C) by striking paragraph (3) and insert-  
21 ing the following:

22 “(3) SOURCE OF PAYMENT AMOUNTS.—

23 “(A) IN GENERAL.—With respect to an eli-  
24 gible State or eligible county that has not elect-  
25 ed to opt out of distributions under section

300207(e)(4)(A) of title 36, United States  
Code, the payment under this section for a fis-  
cal year shall be derived from—

4 “(i) distributions to be paid under  
5 section 300207(c)(2)(A)(ii)(III)(aa) of title  
6 36, United States Code; and

“(ii) to the extent that amounts made available under clause (i) are insufficient, any amounts that are appropriated to carry out this Act, to be distributed in accordance with section 300207(e)(2)(A)(ii)(III)(bb) of title 36, United States Code.

“(B) EXCEPTION.—An eligible State or eligible county that has elected to opt out of distributions under section 300207(c)(4)(A) of title 36, United States Code—

18                   “(i) shall not receive any payment  
19                   under this section; and

20 “(ii) may receive payments only  
21 under, as applicable—

“(I) the sixth paragraph under  
the heading ‘FOREST SERVICE’ in the  
Act of May 23, 1908 (35 Stat. 260,  
chapter 192; 16 U.S.C. 500), and sec-

tion 13 of the Act of March 1, 1911  
(commonly known as the ‘Weeks  
Law’) (36 Stat. 963, chapter 186; 16  
U.S.C. 500);

“(II) subsection (a) of title II of  
the Act of August 28, 1937 (50 Stat.  
875, chapter 876; 43 U.S.C. 2605);  
and

“(III) the first section of the Act  
of May 24, 1939 (53 Stat. 753, chap-  
ter 144; 43 U.S.C. 2621).”.

(3) NOTIFICATION OF ELECTION.—Section  
102(d)(1) of the Secure Rural Schools and Commu-  
nity Self-Determination Act of 2000 (16 U.S.C.  
7112(d)(1)) is amended—

(A) in subparagraph (A), by striking “sub-  
paragraph (D)” and inserting “subparagraphs  
(D) and (G)”; and

(B) by adding at the end the following:

“(G) FISCAL YEAR 2019 AND THERE-  
AFTER.—For fiscal year 2019 and each fiscal  
year thereafter—

“(i) the allocation of funds required  
under subparagraph (A) shall not be re-  
quired;

1 “(ii) of the amounts received for the  
2 fiscal year—

3 “(I) 85 percent shall be expended  
4 in the same manner in which the 25-  
5 percent payments or 50-percent pay-  
6 ments, as applicable, are required to  
7 be expended; and

8 “(II) 15 percent shall be ex-  
9 pended on county projects in accord-  
10 ance with title III; and

11 “(iii) the elections otherwise required  
12 by subparagraphs (B), (C), and (D), or  
13 considered to be made under paragraph  
14 (3)(B), as applicable, shall not apply or be  
15 required for payments made for the fiscal  
16 year.”.

17 (4) DISTRIBUTION OF PAYMENTS TO ELIGIBLE  
18 COUNTIES.—Section 103(d)(2) of the Secure Rural  
19 Schools and Community Self-Determination Act of  
20 2000 (16 U.S.C. 7113(d)(2)) is amended by striking  
21 “each of fiscal years 2011 through and for fiscal  
22 years 2017 and 2018” and inserting “fiscal year  
23 2011 and each fiscal year thereafter”.

24 (5) TERMINATION OF AUTHORITY.—The Secure  
25 Rural Schools and Community Self-Determination

1 Act of 2000 is amended by striking section 304 (16  
2 U.S.C. 7144).

3 (c) REPEAL OF AUTHORITY TO CONDUCT SPECIAL  
4 PROJECTS ON FEDERAL LAND.—

5 (1) IN GENERAL.—Title II of the Secure Rural  
6 Schools and Community Self-Determination Act of  
7 2000 (16 U.S.C. 7121 et seq.) is repealed.

8 (2) CONFORMING AMENDMENTS.—

9 (A) Section 102(d) of the Secure Rural  
10 Schools and Community Self-Determination Act  
11 of 2000 (16 U.S.C. 7112(d)) is amended—

12 (i) in paragraph (1)—

13 (I) in subparagraph (B)—

14 (aa) by striking clause (i);

15 (bb) by redesignating  
16 clauses (ii) and (iii) as clauses (i)  
17 and (ii), respectively; and

18 (cc) in clause (ii) (as so re-  
19 designated), by striking “clauses  
20 (i) and (ii)” and inserting  
21 “clause (i)”;

22 (II) in subparagraph (C)—

23 (aa) by striking clause (i);

1 (bb) by redesignating  
2 clauses (ii) and (iii) as clauses (i)  
3 and (ii), respectively; and  
4 (cc) in clause (ii) (as so re-  
5 designated), by striking “clauses  
6 (i) and (ii)” and inserting  
7 “clause (i)”; and  
8 (III) in subparagraphs (E) and  
9 (F), by striking “paragraph (3)(B)”  
10 each place it appears and inserting  
11 “paragraph (2)(B)”;  
12 (ii) by striking paragraph (2);  
13 (iii) by redesignating paragraph (3) as  
14 paragraph (2); and  
15 (iv) in subparagraph (B)(ii) of para-  
16 graph (2) (as so redesignated), by insert-  
17 ing “(as in effect on the day before the  
18 date of enactment of the Forest Manage-  
19 ment for Rural Stability Act)” after  
20 “204(a)(5)”.  
21 (B) Section 302(b) of the Secure Rural  
22 Schools and Community Self-Determination Act  
23 of 2000 (16 U.S.C. 7142(b)) is amended  
24 (i) in paragraph (1), by striking “;  
25 and” at the end and inserting a period;



1 (ii) in the matter preceding paragraph  
2 (1), by striking “shall—” and all that fol-  
3 lows through “publish” in paragraph (1)  
4 and inserting “shall publish”; and  
5 (iii) by striking paragraph (2).

6 (C) The Secure Rural Schools and Com-  
7 munity Self-Determination Act of 2000 is  
8 amended by striking section 403 (16 U.S.C.  
9 7153) and inserting the following:

10 **“SEC. 403. TREATMENT OF FUNDS.**

11 “Funds made available under section 402 shall be in  
12 addition to any other annual appropriations for the Forest  
13 Service and the Bureau of Land Management.”.

14 (D) Section 603(b)(1)(C)(ii)(II) of the  
15 Healthy Forests Restoration Act of 2003 (16  
16 U.S.C. 6591b(b)(1)(C)(ii)(II)) is amended by  
17 inserting “(as in effect on the day before the  
18 date of enactment of the Forest Management  
19 for Rural Stability Act”) before the period at  
20 the end.

21 (E) Section 4003(b)(2)(B)(ii) of the Omni-  
22 bus Public Land Management Act of 2009 (16  
23 U.S.C. 7303(b)(2)(B)(ii)) is amended by strik-  
24 ing “500 note)” and inserting “7125) (as in ef-  
25 fect on the day before the date of enactment of

1 the Forest Management for Rural Stability  
2 Act)".

3 (d) USE OF FUNDS.—Section 302(a) of the Secure  
4 Rural Schools and Community Self-Determination Act of  
5 2000 (16 U.S.C. 7142(a)) is amended—

6 (1) in paragraph (1), by striking “to carry out  
7 activities under the Firewise Communities pro-  
8 gram”;

9 (2) in paragraph (2)(A), by striking “on Fed-  
10 eral land”;

11 (3) in paragraph (3), by striking “and” at the  
12 end;

13 (4) in paragraph (4), by striking the period at  
14 the end and inserting a semicolon; and

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

16 “(5) for job training or job creation activities;

17 “(6) for projects approved by—

18 “(A) a resource advisory committee; or

19 “(B) a forest collaborative;

20 “(7) for natural resource conservation projects;

21 “(8) for forest health treatments;

22 “(9) for economic development activities;

23 “(10) for transportation infrastructure projects

24 on county road systems that serve Federal land; or

1 “(11) to plan, develop, or carry out projects on  
2 Federal land that—

3 “(A) are consistent with applicable Federal  
4 laws (including regulations) and forest plans;

5 “(B) create private sector jobs, generate  
6 county revenue, or provide merchantable forest  
7 products; and

8 “(C) may include—

9 “(i) forest health treatments;

10 “(ii) implementation of work under a  
11 Master Stewardship Agreement;

12 “(iii) implementation of work under a  
13 good neighbor agreement (as defined in  
14 section 8206(a) of the Agricultural Act of  
15 2014 (16 U.S.C. 2113a(a))); or

16 “(iv) forest road replacement, reha-  
17 bilitation, or reconstruction.”.

18 (e) CERTIFICATION.—Section 303 of the Secure  
19 Rural Schools and Community Self-Determination Act of  
20 2000 (16 U.S.C. 7143) is amended—

21 (1) in subsection (a), by striking “February 1”  
22 and all that follows through “Secretary concerned”  
23 and inserting “February 1 of each calendar year be-  
24 ginning after a calendar year during which not less  
25 than \$35,000 of county funds were expended by a

1       participating county, the appropriate official of the  
2       participating county shall submit to the Forest and  
3       Refuge County Foundation established by section  
4       300202 of title 36, United States Code,”; and

5               (2) in subsection (b)—

6                       (A) by striking “Secretary concerned  
7                       shall” and inserting “Forest and Refuge Coun-  
8                       ty Foundation shall”; and

9                       (B) by striking “Secretary concerned de-  
10                      termines” and inserting “Foundation deter-  
11                      mines”.

12       (f) FUNDING.—The Secure Rural Schools and Com-  
13       munity Self-Determination Act of 2000 is amended by  
14       striking section 402 (16 U.S.C. 7152) and inserting the  
15       following:

16       **“SEC. 402. FUNDING.**

17               “(a) IN GENERAL.—On October 1 of each fiscal year,  
18       out of any funds in the Treasury not otherwise appro-  
19       priated, the Secretary of the Treasury shall transfer to  
20       the Secretary concerned such sums as are necessary to  
21       carry out this Act, to remain available until expended.

22               “(b) RECEIPT AND ACCEPTANCE.—The Secretary  
23       concerned shall be entitled to receive, shall accept, and  
24       shall use to carry out this section the funds transferred  
25       under subsection (a), without further appropriation.”.

1 **SEC. 5. FUNDING FOR REFUGE REVENUE SHARING ACT.**

2 (a) SOURCE OF PAYMENTS TO COUNTIES.—Section  
3 401(c) of the Act of June 15, 1935 (commonly known as  
4 the “Refuge Revenue Sharing Act”) (49 Stat. 383, chap-  
5 ter 261; 16 U.S.C. 715s(c)), is amended adding at the  
6 end the following:

7 “(6) SOURCE OF PAYMENTS TO COUNTIES.—  
8 Notwithstanding any other provision of this section,  
9 for fiscal year 2019 and each fiscal year thereafter,  
10 with respect to counties that have not elected to opt  
11 out of distributions under section 300207(c)(4)(A)  
12 of title 36, United States Code, instead of making  
13 the payments to the applicable counties required  
14 under paragraphs (1) and (2) from the fund, the  
15 payments shall be derived from—

16 “(A) distributions to be paid under section  
17 300207(c)(2)(B)(ii)(III)(aa)(AA) of title 36,  
18 United States Code; and

19 “(B) to the extent that amounts made  
20 available under subparagraph (A) are insuffi-  
21 cient, any amounts that are appropriated under  
22 subsection (d), to be distributed in accordance  
23 with section 300207(c)(2)(B)(ii)(III)(bb) of  
24 title 36, United States Code.”.

25 (b) FUNDING.—Section 401 of the Act of June 15,  
26 1935 (commonly known as the “Refuge Revenue Sharing

1 Act”) (49 Stat. 383, chapter 261; 16 U.S.C. 715s), is  
2 amended by striking subsection (d) and inserting the fol-  
3 lowing:

4 “(d) FUNDING FOR PAYMENTS.—

5 “(1) IN GENERAL.—On October 1 of each fiscal  
6 year, out of any funds in the Treasury not otherwise  
7 appropriated, the Secretary of the Treasury shall  
8 transfer to the Secretary such sums as are necessary  
9 to make payments under paragraphs (1) and (2) of  
10 subsection (c) to counties, after taking into ac-  
11 count—

12 “(A) amounts in the fund available for the  
13 payments for the fiscal year; and

14 “(B) amounts made available for payments  
15 from the National Resources Permanent Fund  
16 established by section 300207(a) of title 36,  
17 United States Code, for the fiscal year.

18 “(2) RECEIPT AND ACCEPTANCE.—The Sec-  
19 retary shall be entitled to receive, shall accept, and  
20 shall use to carry out this section the funds trans-  
21 ferred under paragraph (1), without further appro-  
22 priation.”.