

117TH CONGRESS
1ST SESSION

S. 435

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 24, 2021

Mr. CRAPO (for himself, Mr. WYDEN, Mr. RISCH, Mr. MERKLEY, Mrs. CAP-
ITO, Ms. ROSEN, Ms. CORTEZ MASTO, Mr. KELLY, Mr. SULLIVAN, Ms.
STABENOW, Mr. BENNET, Mr. TESTER, Mrs. MURRAY, Ms. KLOBUCHAR,
Mr. ROMNEY, Mrs. FEINSTEIN, Mr. MANCHIN, Ms. SINEMA, and Mr.
SANDERS) introduced the following bill; which was read twice and re-
ferred to the Committee on Energy and Natural Resources

A BILL

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

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 Reauthorization Act of 2021”.

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

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 by striking subparagraphs (D) and (E) and in-
 7 serting the following:

8 “(D) for fiscal year 2017, the amount that
 9 is equal to 95 percent of the full funding
 10 amount for fiscal year 2015;

11 “(E) for each of fiscal years 2018 through
 12 2020, the amount that is equal to 95 percent
 13 of the full funding amount for the preceding fis-
 14 cal year; and

15 “(F) for fiscal year 2021 and each fiscal
 16 year thereafter, the amount that is equal to the
 17 full funding amount for fiscal year 2017.”.

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

20 (1) SECURE PAYMENTS.—Section 101 of the
 21 Secure Rural Schools and Community Self-Deter-
 22 mination Act of 2000 (16 U.S.C. 7111) is amended,
 23 in subsections (a) and (b), by striking “2015, 2017,
 24 2018, 2019, and 2020” each place it appears and
 25 inserting “2015 and 2017 through 2023”.

1 (2) DISTRIBUTION OF PAYMENTS TO ELIGIBLE
 2 COUNTIES.—Section 103(d)(2) of the Secure Rural
 3 Schools and Community Self-Determination Act of
 4 2000 (16 U.S.C. 7113(d)(2)) is amended by striking
 5 “2020” and inserting “2023”.

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

12 “(g) RESOURCE ADVISORY COMMITTEE APPOINT-
 13 MENT PILOT PROGRAMS.—

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

15 “(A) APPLICABLE DESIGNEE.—The term
 16 ‘applicable designee’ means the applicable re-
 17 gional forester.

18 “(B) NATIONAL PILOT PROGRAM.—The
 19 term ‘national pilot program’ means the na-
 20 tional pilot program established under para-
 21 graph (4)(A).

22 “(C) REGIONAL PILOT PROGRAM.—The
 23 term ‘regional pilot program’ means the re-
 24 gional pilot program established under para-
 25 graph (3)(A).

1 “(2) ESTABLISHMENT OF PILOT PROGRAMS.—

2 In accordance with paragraphs (3) and (4), the Sec-
3 retary concerned shall carry out 2 pilot programs to
4 appoint members of resource advisory committees.

5 “(3) REGIONAL PILOT PROGRAM.—

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

10 “(B) GEOGRAPHIC LIMITATION.—The re-
11 gional pilot program shall only apply to re-
12 source advisory committees chartered in—

13 “(i) the State of Montana; and

14 “(ii) the State of Arizona.

15 “(C) RESPONSIBILITIES OF APPLICABLE
16 DESIGNEE.—

17 “(i) REVIEW.—Before appointing a
18 member of a resource advisory committee
19 under the regional pilot program, an appli-
20 cable designee shall conduct the review and
21 analysis that would otherwise be conducted
22 for an appointment to a resource advisory
23 committee if the regional pilot program
24 was not in effect, including any review and

1 analysis with respect to civil rights and
2 budgetary requirements.

3 “(ii) SAVINGS CLAUSE.—Nothing in
4 this paragraph relieves an applicable des-
5 ignee from any requirement developed by
6 the Secretary concerned for making an ap-
7 pointment to a resource advisory com-
8 mittee that is in effect on December 20,
9 2018, including any requirement for adver-
10 tising a vacancy.

11 “(4) NATIONAL PILOT PROGRAM.—

12 “(A) IN GENERAL.—The Secretary con-
13 cerned shall carry out a national pilot program
14 to allow the Chief of the Forest Service or the
15 Director of the Bureau of Land Management,
16 as applicable, to submit to the Secretary con-
17 cerned nominations of individuals for appoint-
18 ment as members of resource advisory commit-
19 tees.

20 “(B) APPOINTMENT.—Under the national
21 pilot program, subject to subparagraph (C), not
22 later than 30 days after the date on which a
23 nomination is transmitted to the Secretary con-
24 cerned under subparagraph (A), the Secretary
25 concerned shall—

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

3 “(ii) reject the nomination.

4 “(C) AUTOMATIC APPOINTMENT.—If the
5 Secretary concerned does not act on a nomina-
6 tion in accordance with subparagraph (B) by
7 the date described in that subparagraph, the
8 nominee shall be deemed appointed to the appli-
9 cable resource advisory committee.

10 “(D) GEOGRAPHIC LIMITATION.—The na-
11 tional pilot program shall apply to a resource
12 advisory committee chartered in any State other
13 than—

14 “(i) the State of Montana; or

15 “(ii) the State of Arizona.

16 “(E) SAVINGS CLAUSE.—Nothing in this
17 paragraph relieves the Secretary concerned
18 from any requirement relating to an appoint-
19 ment to a resource advisory committee, includ-
20 ing any requirement with respect to civil rights
21 or advertising a vacancy.

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

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

5 “(A) with respect to appointments made
 6 under the regional pilot program compared to
 7 appointments made under the national pilot
 8 program, a description of the extent to which—

9 “(i) appointments were faster or slow-
 10 er; and

11 “(ii) the requirements described in
 12 paragraph (3)(C)(i) differ; and

13 “(B) a recommendation with respect to
 14 whether Congress should terminate, continue,
 15 modify, or expand the pilot programs.”.

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

18 (1) EXISTING ADVISORY COMMITTEES.—Section
 19 205(a)(4) of the Secure Rural Schools and Commu-
 20 nity Self-Determination Act of 2000 (16 U.S.C.
 21 7125(a)(4)) is amended by striking “December 20,
 22 2021” each place it appears and inserting “Decem-
 23 ber 20, 2023”.

24 (2) EXTENSION OF AUTHORITY.—Section 208
 25 of the Secure Rural Schools and Community Self-

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

3 (A) in subsection (a), by striking “2022”
 4 and inserting “2025”; and

5 (B) in subsection (b), by striking “2023”
 6 and inserting “2026”.

7 (e) ACCESS TO BROADBAND AND OTHER TECH-
 8 NOLOGY.—Section 302(a) of the Secure Rural Schools and
 9 Community Self-Determination Act of 2000 (16 U.S.C.
 10 7142(a)) is amended—

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

13 (2) in paragraph (4), by striking the period at
 14 the end and inserting “; and”; and

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

16 “(5) to provide or expand access to—

17 “(A) broadband telecommunications serv-
 18 ices at local schools; or

19 “(B) the technology and connectivity nec-
 20 essary for students to use a digital learning tool
 21 at or outside of a local school campus.”.

22 (f) EXTENSION OF AUTHORITY TO EXPEND COUNTY
 23 FUNDS.—Section 304 of the Secure Rural Schools and
 24 Community Self-Determination Act of 2000 (16 U.S.C.
 25 7144) is amended—

1 (1) in subsection (a), by striking “2022” and
 2 inserting “2025”; and

3 (2) in subsection (b), by striking “2023” and
 4 inserting “2026”.

5 (g) AMOUNTS OBLIGATED BUT UNSPENT; PROHIBI-
 6 TION ON USE OF FUNDS.—Title III of the Secure Rural
 7 Schools and Community Self-Determination Act of 2000
 8 (16 U.S.C. 7141 et seq.) is amended—

9 (1) by redesignating section 304 as section 305;
 10 and

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

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

14 “(a) AMOUNTS OBLIGATED BUT UNSPENT.—Any
 15 county funds that were obligated by the applicable partici-
 16 pating county before October 1, 2017, but are unspent on
 17 October 1, 2020—

18 “(1) may, at the option of the participating
 19 county, be deemed to have been reserved by the par-
 20 ticipating county on October 1, 2020, for expendi-
 21 ture in accordance with this title; and

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

24 “(B) on a determination by the participating
 25 county under subparagraph (A) to use the county

1 funds, shall be available for projects initiated after
2 October 1, 2020, subject to section 305.

3 “(b) PROHIBITION ON USE OF FUNDS.—Notwith-
4 standing any other provision of law, effective beginning
5 on the date of enactment of the Secure Rural Schools Re-
6 authorization Act of 2021, no county funds made available
7 under this title may be used by any participating county
8 for any lobbying activity, regardless of the purpose for
9 which the funds are obligated on or before that date.”.

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