

117TH CONGRESS  
2D SESSION

# H. R. 8859

To amend title VI of the Social Security Act to improve the Local Assistance and Tribal Consistency Fund, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2022

Mr. NEGUSE introduced the following bill; which was referred to the Committee on Oversight and Reform

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## A BILL

To amend title VI of the Social Security Act to improve the Local Assistance and Tribal Consistency 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 “Secure Rural and Trib-  
5 al Lands Act”.

6 **SEC. 2. LOCAL ASSISTANCE AND TRIBAL CONSISTENCY**  
7 **FUND.**

8 (a) IN GENERAL.—Section 605 of the Social Security  
9 Act (42 U.S.C. 805) is amended—

1           (1) in subsection (a), by striking “with amounts  
2           to be obligated” and all that follows through the pe-  
3           riod and inserting “for making payments under this  
4           section to eligible revenue sharing recipients, eligible  
5           Tribal governments, and territories, with amounts to  
6           be allocated and paid in accordance with subsection  
7           (b) not later than December 31, 2022.”; and

8           (2) by striking subsections (b) through (f) and  
9           inserting the following:

10          “(b) AUTHORITY TO MAKE PAYMENTS.—

11               “(1) ALLOCATIONS AND PAYMENTS TO ELIGI-  
12               BLE REVENUE SHARING RECIPIENTS.—

13                       “(A) REVENUE SHARING COUNTIES.—

14                               “(i) ALLOCATIONS.—The Secretary  
15                               shall reserve \$1,485,000,000 of the total  
16                               amount appropriated under subsection (a)  
17                               to allocate to each revenue sharing county  
18                               an amount determined by the Secretary,  
19                               taking into account—

20                                       “(I) the amount of entitlement  
21                                       land and Federal land in each revenue  
22                                       sharing county; and

23                                       “(II) the economic conditions of  
24                                       each revenue sharing county, using  
25                                       such measurements of poverty, house-

1 hold income, and unemployment over  
2 the most recent 20-year period as of  
3 September 30, 2021, to the extent  
4 data are available, as well as other  
5 economic indicators as the Secretary  
6 determines appropriate.

7 “(ii) PAYMENTS.—Subject to subpara-  
8 graph (B)(ii), the Secretary shall pay each  
9 revenue sharing county that is an eligible  
10 revenue sharing county the amount deter-  
11 mined for the county under clause (i).

12 “(B) SPECIAL RULES.—

13 “(i) REVENUE SHARING COUNTIES  
14 WITH LIMITED GOVERNMENT FUNC-  
15 TIONS.—In the case of an amount allo-  
16 cated to a revenue sharing county under  
17 subparagraph (A) that is a county with  
18 limited government functions, the Sec-  
19 retary shall, from such amount, allocate  
20 and pay to each eligible revenue sharing  
21 local government within such county an  
22 amount determined by the Secretary, tak-  
23 ing into account the amount of entitlement  
24 land and Federal land in the eligible rev-  
25 enue sharing local government and the

1 population of the eligible revenue sharing  
2 local government relative to the total popu-  
3 lation of such county with limited govern-  
4 ment functions.

5 “(ii) ELIGIBLE REVENUE SHARING  
6 COUNTY IN ALASKA.—In the case of the el-  
7 igible revenue sharing county described in  
8 subsection (f)(3)(C), the Secretary shall  
9 pay the amount allocated to such eligible  
10 revenue sharing county under subpara-  
11 graph (A) to the State of Alaska and the  
12 State of Alaska shall distribute from such  
13 payment, payments to home rule cities and  
14 general law cities (as such cities are de-  
15 fined by the State) located within the  
16 boundaries of the eligible revenue sharing  
17 county described in subsection (f)(3)(C).

18 “(C) PRO RATA ADJUSTMENT AUTHOR-  
19 ITY.—The amounts otherwise determined for al-  
20 location and payment under subparagraphs (A)  
21 and (B) may be adjusted by the Secretary on  
22 a pro rata basis to the extent necessary to en-  
23 sure that all available funds are allocated and  
24 paid to eligible revenue sharing recipients in ac-

1 cordance with the requirements specified in  
2 each such subparagraph.

3 “(2) ALLOCATIONS AND PAYMENTS TO ELIGI-  
4 BLE TRIBAL GOVERNMENTS.—The Secretary shall  
5 reserve \$500,000,000 of the total amount appro-  
6 priated under subsection (a) to allocate and pay to  
7 eligible Tribal governments amounts that are deter-  
8 mined by the Secretary taking into account economic  
9 conditions of each eligible Tribe.

10 “(3) ALLOCATIONS AND PAYMENTS TO TERRI-  
11 TORIES.—The Secretary shall reserve \$15,000,000  
12 of the total amount appropriated under subsection  
13 (a) to allocate and pay to each territory an amount  
14 which bears the same proportion to the amount re-  
15 served under this paragraph as the population of the  
16 territory bears to the total population of all the ter-  
17 ritories.

18 “(c) USE OF PAYMENTS.—An eligible revenue shar-  
19 ing recipient, an eligible Tribal government, or a territory  
20 may use funds provided under a payment made under this  
21 section for any governmental purpose other than a lob-  
22 bying activity.

23 “(d) REPORTING REQUIREMENT.—Each eligible rev-  
24 enue sharing recipient and each territory that receives a  
25 payment under this section shall submit to the Secretary

1 periodic reports providing a detailed accounting of the use  
 2 of funds by the eligible revenue sharing recipient or terri-  
 3 tory, as applicable, and such other information as the Sec-  
 4 retary may require for the administration of this section.

5 “(e) RECOUPMENT.—Any eligible revenue sharing re-  
 6 cipient or any territory that has failed to submit a report  
 7 required under subsection (d) or failed to comply with sub-  
 8 section (c), shall be required to repay to the Secretary an  
 9 amount equal to—

10 “(1) in the case of a failure to comply with sub-  
 11 section (c), the amount of funds used in violation of  
 12 such subsection; and

13 “(2) in the case of a failure to submit a report  
 14 required under subsection (d), such amount as the  
 15 Secretary determines appropriate, but not to exceed  
 16 5 percent of the amount paid to the eligible revenue  
 17 sharing recipient or the territory under this section.

18 “(f) DEFINITIONS.—In this section:

19 “(1) COUNTY.—The term ‘county’ means a  
 20 county, parish, borough, or other equivalent county  
 21 division (as defined by the Bureau of the Census) in  
 22 1 of the 50 States.

23 “(2) COUNTY WITH LIMITED GOVERNMENT  
 24 FUNCTIONS.—The term ‘county with limited govern-  
 25 ment functions’ means a county in which entitlement

1 land or Federal land is located that is not an eligible  
2 revenue sharing county.

3 “(3) ELIGIBLE REVENUE SHARING COUNTY.—

4 The term ‘eligible revenue sharing county’ means—

5 “(A) a unit of general local government (as  
6 defined in section 6901(2) of title 31, United  
7 States Code) that is—

8 “(i) a county in which entitlement  
9 land is located and which is eligible for a  
10 payment under section 6902(a) of title 31,  
11 United States Code; or

12 “(ii) a county that contains Federal  
13 land;

14 “(B) the District of Columbia; and

15 “(C) the combined area in Alaska that is  
16 within the boundaries of a census area used by  
17 the Secretary of Commerce in the decennial  
18 census, but that is not included within the  
19 boundary of a unit of general local government  
20 described in subparagraph (A).

21 “(4) ELIGIBLE REVENUE SHARING LOCAL GOV-  
22 ERNMENT.—The term ‘eligible revenue sharing local  
23 government’ means a unit of general local govern-  
24 ment (as defined in section 6901(2) of title 31,

1 United States Code) that is not a county or territory  
2 and—

3 “(A) in which entitlement land is located  
4 and which is eligible for a payment under sec-  
5 tion 6902(a) of title 31, United States Code; or

6 “(B) in which Federal land is located.

7 “(5) ELIGIBLE REVENUE SHARING RECIPI-  
8 ENTS.—The term ‘eligible revenue sharing recipi-  
9 ents’ means, collectively, eligible revenue sharing  
10 counties and eligible revenue sharing local govern-  
11 ments.

12 “(6) ELIGIBLE TRIBAL GOVERNMENT.—The  
13 term ‘eligible Tribal government’ means the recog-  
14 nized governing body of an eligible Tribe.

15 “(7) ELIGIBLE TRIBE.—The term ‘eligible  
16 Tribe’ means any Indian or Alaska Native tribe,  
17 band, nation, pueblo, village, community, component  
18 band, or component reservation, individually identi-  
19 fied (including parenthetically) in the list published  
20 on January 28, 2022, pursuant to section 104 of the  
21 Federally Recognized Indian Tribe List Act of 1994.

22 “(8) ENTITLEMENT LAND.—The term ‘entitle-  
23 ment land’ has the meaning given such term in sec-  
24 tion 6901(1) of title 31, United States Code.



1           “(9) FEDERAL LAND.—The term ‘Federal land’  
 2           has the meaning given such term in section 3(7) of  
 3           the Secure Rural Schools and Community Self-De-  
 4           termination Act of 2000.

5           “(10) REVENUE SHARING COUNTY.—The term  
 6           ‘revenue sharing county’ means—

7                   “(A) an eligible revenue sharing county; or

8                   “(B) a county with limited government  
 9           functions.

10           “(11) SECRETARY.—The term ‘Secretary’  
 11           means the Secretary of the Treasury.

12           “(12) TERRITORY.—The term ‘territory’  
 13           means—

14                   “(A) the Commonwealth of Puerto Rico;

15                   “(B) the United States Virgin Islands;

16                   “(C) Guam;

17                   “(D) the Commonwealth of the Northern  
 18           Mariana Islands; or

19                   “(E) American Samoa.”.

20           (b) DEPARTMENT OF THE TREASURY ADMINISTRA-  
 21   TIVE EXPENSES.—

22           (1) IN GENERAL.—Notwithstanding any other  
 23           provision of law, the unobligated balances from  
 24           amounts made available to the Secretary of the  
 25           Treasury (referred to in this subsection as the “Sec-

1       retary’’) for administrative expenses pursuant to the  
2       provisions specified in paragraph (2) shall be avail-  
3       able to the Secretary (in addition to any other ap-  
4       propriations provided for such purpose) for any ad-  
5       ministrative expenses of the Department of the  
6       Treasury determined by the Secretary to be nec-  
7       essary to respond to the coronavirus emergency, in-  
8       cluding any expenses necessary to implement any  
9       provision of—

10               (A) the Coronavirus Aid, Relief, and Eco-  
11               nomic Security Act (Public Law 116–136);

12               (B) division N of the Consolidated Appro-  
13               priations Act, 2021 (Public Law 116–260);

14               (C) the American Rescue Plan Act (Public  
15               Law 117–2); or

16               (D) title VI of the Social Security Act (42  
17               U.S.C. 801 et seq.).

18       (2) PROVISIONS SPECIFIED.—The provisions  
19       specified in this paragraph are the following:

20               (A) Sections 4003(f) and 4112(b) of the  
21               Coronavirus Aid, Relief, and Economic Security  
22               Act (Public Law 116–136).

23               (B) Section 421(f)(2) of division N of the  
24               Consolidated Appropriations Act, 2021 (Public  
25               Law 116–260).

1                   (C)           Sections           3201(a)(2)(B),  
2           3206(d)(1)(A), and 7301(b)(5) of the American  
3           Rescue Plan Act of 2021 (Public Law 117–2).

4                   (D) Section 602(a)(2) of the Social Secu-  
5           rity Act (42 U.S.C. 802(a)(2)).

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