



File Code: 6550

Date: July 19, 2022

Dear State Treasurer,

To prepare for the fiscal year 2022 (payment year 2023) payments to the states under the Secure Rural Schools and Community Self Determination Act, as amended and reauthorized by P.L. 117-58 (the Act), we request that each participating state complete and submit their "FY 2022 Payments to States Title Election Form" by September 30, 2022. The form is already preloaded with your eligible counties for your convenience. Counties elected to receive a share of the 25-percent payment DO NOT need to submit election information. Following are details about this request:

A participating county that receives a share of the State payment that is greater than \$100,000 must make an **additional election to allocate among Titles by September 30, 2022**, as explained below:

- **\$100,000 or less.** An eligible county that elects to receive a share of the State payment that is \$100,000 or less (a minor distribution) may elect to use 100-percent of its share for public roads and schools under title I. **A county that elects to receive a minor distribution must make an affirmative election to use the 100-percent of its share for title I purposes.** In the alternative, the county may opt to allocate 15-percent to 20-percent of its share to title II, title III, or a combination of both. The total percentage allocated to title II and title III combined must be no less than 15-percent and no greater than 20-percent. The county also may opt to return its allocation, in whole or part, to the Federal Government.
- **\$100,001 to \$349,999.** If the county share of the State payment is more than \$100,000 but less than \$350,000, the county must allocate 15-percent to 20-percent of its share to title II, title III, or a combination of both. The total percentage allocated to title II and/or title III must be no less than 15-percent and no greater than 20-percent. The county also may opt to return its allocation, in whole or part, to the Federal Government.
- **\$350,000 or greater.** If the county share of the State payment is \$350,000 or greater, the county must allocate 15-percent to 20-percent of its share to title II, title III, or a combination of both, except that the allocation for title III projects may not exceed 7-percent. The total percentage allocated to title II and title III combined must be no less than 15-percent and no greater than 20-percent. The county also may opt to return its allocation, in whole or part, to the Federal Government.

When authorized by law, a participating county receiving more than \$100,000 as its share of the State payment must allocate a portion of its payment to Titles II and/or III by September 30 of that year. An eligible county that fails to elect to allocate its share of the State payment shall be considered to have elected to expend 80-percent of the share for public schools and roads. The



remaining 20-percent will be available to the Forest Service to carry out projects in the eligible county to further the purposes of title II.

If a county elects not to allocate 100%, and return a portion to the US Treasury, please document that election on the election form so we have some assurance that the paperwork is not in error. These elections will be consolidated by the Governor's office or other appropriate executive office of the State, such as State Treasurer, on behalf of the Governor in accordance with the Act. The Forest Service will not accept an election directly from a county or from any non-governmental organization acting on behalf of a county

The completed form must be transmitted (preferable by email) to the following address by September 30, 2022, using the enclosed election form.

By email:
SM.FS.asc_asr@usda.gov

By fax: [\(877\) 684-1422](tel:(877)684-1422) ATTN: ASR

We will also accept the election forms via postal mail; however, this method slows the election and confirmation process.

U.S Forest Service
Albuquerque Service Center, B&F
ASR/Collections
ATTN: Funds Control / ASR
101B Sun Avenue, NE
ALBUQUERQUE, NM 87109

The September 30th deadline is required in the Act and cannot be extended. We strongly encourage the State to transmit the election form in advance of the deadline to ensure that any concerns may be addressed before September 30, 2022.

Additional information is available on the Payments to States homepage located at <https://www.fs.usda.gov/working-with-us/secure-rural-schools>. If you have any additional questions about the election form, please contact the Albuquerque Service Center (ASC) through the ASC Contact Center at (877) 372-7248, Option 1.

Sincerely,

JENNIFER
MCGUIRE

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MCGUIRE
Date: 2022.07.20 08:16:54
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Jennifer McGuire
JENNIFER MCGUIRE
ASC Director of Budget and Finance