

§ 1881.1

43 CFR Ch. II (10–1–99 Edition)

(viii) Lands located in the vicinity of Purgatory River Canyon and Pinon Canyon, Colorado, that were acquired by the United States after December 23, 1981, to expand the Fort Carson military installation.

(2) *Entitlement lands* do not include:

(i) Lands that were owned or administered by a State or unit of local government and which, at the time title was conveyed to the United States, were exempt from payment of real estate taxes. However, beginning October 1, 1978, this exclusion shall not apply to any entitlement land which is or was acquired by a State or unit of local government from private parties for the purpose of donation of such land to the Federal Government and which is or was donated within eight years of the date of acquisition thereof by the State or unit of local government.

(ii) Any land for which any money was paid to a unit of local government pursuant to the Act of August 28, 1937 (50 Stat. 875) or the Act of May 24, 1939 (53 Stat. 753) in that fiscal year.

(d) *Money transfers* means money or cash payments received by units of local government under the statutes in section 4 of the Act, 31 U.S.C. 1604. The term does not include payments made to a State and distributed by the State directly to a school district or other single or special purpose governmental entities, or payments distributed by the State to the unit of local government which the unit of local government is required by State law to pass on to a school district or other independent single or special purpose governmental entity.

(e) *Authorized officer* means that official within the Bureau of Land Management delegated the authority to carry out the provisions of the Act.

(31 U.S.C. 1601–1607; 92 Stat. 1319, 1321–1322; 92 Stat. 171)

[42 FR 51580, Sept. 29, 1977, as amended at 45 FR 47619, July 15, 1980; 48 FR 42817, Sept. 20, 1983; 50 FR 1305, Jan. 10, 1985]

§ 1881.1 Procedures.

§ 1881.1–1 Procedures, general.

(a) The minimum payment shall be \$100 to any one unit of local government under both sections 1 and 3 of the Act, in aggregate.

(b) If money actually appropriated by Congress for distribution during any fiscal year is insufficient to provide full payment to each unit of local government, all payments due to eligible recipients in that fiscal year shall be reduced proportionally, to the extent determined necessary by the authorized officer.

§ 1881.1–2 Procedures, section 1 payments.

(a) The authorized officer shall determine which governments are units of general local government eligible to receive payments under section 1 of the Act in accordance with section 6(c) of the Act and the definitions in § 1881.0–5 of these regulations. In resolving questions about the eligibility of any unit of general local government and the status of entitlement lands, the authorized officer may consult with the Bureau of the Census, officials of the appropriate State and local government, and officials of the agency administering the entitlement lands.

(b) In order to determine which units of local government are entitled to receive payments under the act, the authorized officer shall obtain the data necessary for making computations pursuant to the formula in section 2 of the Act as follows:

(1) The amount of entitlement lands within the boundaries of each unit of local government as of the last day of the fiscal year preceding the fiscal year for which the payment is to be made and the amount of payments made directly to those governments pursuant to the laws listed in section 4 of the Act shall be obtained from the administering Federal agencies;

(2) The amount of money transfers made by the State to eligible units of local government pursuant to the laws listed in section 4 of the Act shall be obtained from the Governor or his designated officials;

(3) The population of each unit of local government shall be obtained from current Bureau of the Census statistics.

(c) The authorized officer shall compute and certify the amount of payment to be made each unit of local government based on (1) the formula and limitations set forth in section 2 of the