

111TH CONGRESS
2D SESSION

H. R. 3759

IN THE SENATE OF THE UNITED STATES

JANUARY 20, 2010

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To authorize the Secretary of the Interior to grant market-related contract extensions of certain timber contracts between the Secretary of the Interior and timber purchasers, 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,*

1 **SECTION 1. QUALIFYING TIMBER CONTRACT OPTIONS.**

2 (a) DEFINITIONS.—In this section:

3 (1) QUALIFYING CONTRACT.—The term “quali-
4 fying contract” means a contract that has not been
5 terminated by the Bureau of Land Management for
6 the sale of timber on lands administered by the Bu-
7 reau of Land Management that meets all of the fol-
8 lowing criteria:

9 (A) The contract was awarded during the
10 period beginning on January 1, 2005, and end-
11 ing on December 31, 2008.

12 (B) There is unharvested volume remain-
13 ing for the contract.

14 (C) The contract is not a salvage sale.

15 (D) The Secretary determined there is not
16 an urgent need to harvest under the contract
17 due to deteriorating timber conditions that de-
18 veloped after the award of the contract.

19 (2) SECRETARY.—The term “Secretary” means
20 the Secretary of the Interior, acting through the Di-
21 rector of Bureau of Land Management.

22 (3) TIMBER PURCHASER.—The term “timber
23 purchaser” means the party to the qualifying con-
24 tract for the sale of timber from lands administered
25 by the Bureau of Land Management.

1 (b) MARKET-RELATED CONTRACT EXTENSION OP-
2 TION.—Upon a timber purchaser’s written request, the
3 Secretary may make a one-time modification to the quali-
4 fying contract to add 3 years to the contract expiration
5 date if the written request—

6 (1) is received by the Secretary not later than
7 90 days after the date of enactment of this Act; and

8 (2) contains a provision releasing the United
9 States from all liability, including further consider-
10 ation or compensation, resulting from the modifica-
11 tion under this subsection of the term of a qualifying
12 contract.

13 (c) REPORTING.—Not later than 6 months after the
14 date of the enactment of this Act, the Secretary shall sub-
15 mit to Congress a report detailing a plan and timeline to
16 promulgate new regulations authorizing the Bureau of
17 Land Management to extend and renegotiate timber con-
18 tracts due to changes in market conditions.

19 (d) REGULATIONS.—Not later than 2 years after the
20 date of the enactment of this Act, the Secretary shall pro-
21 mulgate new regulations authorizing the Bureau of Land
22 Management to extend and renegotiate timber contracts
23 due to changes in market conditions.

24 (e) NO SURRENDER OF CLAIMS.—This section shall
25 not have the effect of surrendering any claim by the

1 United States against any timber purchaser that arose
2 under a timber sale contract, including a qualifying con-
3 tract, before the date on which the Secretary adjusts the
4 contract term under subsection (b).

Passed the House of Representatives January 19,
2010.

Attest:

LORRAINE C. MILLER,

Clerk.