

Public Law 95-233
95th Congress

An Act

Feb. 20, 1978

[S. 1360]

National
Forest
Management
Act of 1976,
amendment.
Timber sales.
Collusive
bidding
practices,
prevention.

To amend section 14(e) of the National Forest Management Act of 1976.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 14(e) of the National Forest Management Act of 1976 (90 Stat 2959; 16 U.S.C. 472a(e)) is amended to read as follows:

“(e) (1) In the sale of trees, portions of trees, or forest products from National Forest System lands (hereinafter referred to in this subsection as ‘national forest materials’), the Secretary of Agriculture shall select the bidding method or methods which—

“(A) insure open and fair competition;

“(B) insure that the Federal Government receive not less than the appraised value as required by subsection (a) of this section;

“(C) consider the economic stability of communities whose economies are dependent on such national forest materials, or achieve such other objectives as the Secretary deems necessary; and

“(D) are consistent with the objectives of this Act and other Federal statutes.

The Secretary shall select or alter the bidding method or methods as he determines necessary to achieve the objectives stated in clauses (A), (B), (C), and (D) of this paragraph.

“(2) In those instances when the Secretary selects oral auction as the bidding method for the sale of any national forest materials, he shall require that all prospective purchasers submit written sealed qualifying bids. Only prospective purchasers whose written sealed qualifying bids are equal to or in excess of the appraised value of such national forest materials may participate in the oral bidding process.

“(3) The Secretary shall monitor bidding patterns involved in the sale of national forest materials. If the Secretary has a reasonable belief that collusive bidding practices may be occurring, then—

“(A) he shall report any such instances of possible collusive bidding or suspected collusive bidding practices to the Attorney General of the United States with any and all supporting data;

“(B) he may alter the bidding methods used within the affected area; and

“(C) he shall take such other action as he deems necessary to eliminate such practices within the affected area.”.

Approved February 20, 1978.

Report to
Attorney
General.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 95-402 accompanying H.R. 6362 (Comm. on Agriculture).

SENATE REPORT No. 95-333 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 123 (1977): Sept. 14, considered and passed Senate.

Vol. 124 (1978): Feb. 6, considered and passed House, in lieu of H.R. 6362.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS:

Vol. 14, No. 8 (1978): Feb. 20, Presidential statement.