

Sales that are reoffered shall be modified, including minor additions or deletions, as appropriate, to reduce adverse environmental impacts, pursuant to current land management plans and guidelines, and such modifications in themselves should not be construed to require the preparation of new or supplemental environmental assessments. This section shall not apply to any decision on the determination of damages due to the Government for defaulted or canceled contracts.”

§ 619. Emergency stumpage rate redeterminations in Alaska

(a) Application; applicable period

Emergency stumpage rate redetermination shall be made upon the written application of the purchaser of National Forest timber in Alaska, bid after January 1, 1974, and rates established as a result thereof shall be effective for timber scaled during a period between January 1, 1981, and five years from October 16, 1984.

(b) Competitive effect of modification of contracts

In making the emergency rate redeterminations the Secretary may modify existing contract terms, including the amount of the bid premium, in order to provide rates which will permit the holders of contracts bid after January 1, 1974, to be competitive with other purchasers of National Forest timber.

(c) Excepted contracts

The provisions of this section shall not apply to contracts held by the holders of 50-year timber sale contracts in Alaska.

(Pub. L. 98-478, § 4, Oct. 16, 1984, 98 Stat. 2217.)

§ 620. Findings and purposes

(a) Findings

The Congress makes the following findings:

- (1) Timber is essential to the United States.
- (2) Forests, forest resources, and the forest environment are exhaustible natural resources that require efficient and effective conservation efforts.
- (3) In the interest of conserving those resources, the United States has set aside millions of acres of otherwise harvestable timberlands in the western United States, representing well over 100,000,000 board feet of otherwise harvestable timber.
- (4) In recent years, administrative, statutory, or judicial action has been taken to set aside an increased amount of otherwise harvestable timberlands for conservation purposes.
- (5) In the next few months and years, additional amounts of otherwise harvestable timberlands may be set aside for conservation purposes, pursuant to the Endangered Species Act of 1973 [16 U.S.C. 1531 et seq.], the National Forest Management Act of 1976, or other expected statutory, administrative, and judicial actions.
- (6) There is evidence of a shortfall in the supply of unprocessed timber in the western United States.
- (7) There is reason to believe that any shortfall which may already exist may worsen unless action is taken.
- (8) In conjunction with the broad conservation actions expected in the next few months

and years, conservation action is necessary with respect to exports of unprocessed timber.

(b) Purposes

The purposes of sections 620 to 620j of this title are—

- (1) to promote the conservation of forest resources in conjunction with State and Federal resources management plans, and other actions or decisions, affecting the use of forest resources;
- (2) to take action essential for the acquisition and distribution of forest resources or products in short supply in the western United States;
- (3) to take action necessary, to meet the goals of Article XI 2.(a) of the GATT 1994 (as defined in section 3501(1)(B) of title 19), to ensure sufficient supplies of certain forest resources or products which are essential to the United States;
- (4) to continue and refine the existing Federal policy of restricting the export of unprocessed timber harvested from Federal lands in the western United States; and
- (5) to effect measures aimed at meeting these objectives in conformity with the obligations of the United States under the WTO Agreement and the multilateral trade agreements (as such terms are defined in paragraphs (9) and (4), respectively, of section 3501 of title 19).

(Pub. L. 101-382, title IV, § 488, Aug. 20, 1990, 104 Stat. 714; Pub. L. 106-36, title I, § 1002(a)(1), June 25, 1999, 113 Stat. 132.)

Editorial Notes

REFERENCES IN TEXT

The Endangered Species Act of 1973, referred to in subsec. (a)(5), is Pub. L. 93-205, Dec. 28, 1973, 87 Stat. 884, which is classified generally to chapter 35 (§ 1531 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1531 of this title and Tables.

The National Forest Management Act of 1976, referred to in subsec. (a)(5), is Pub. L. 94-588, Oct. 22, 1976, 90 Stat. 2949, which enacted sections 472a, 521b, 1600, and 1611 to 1614 of this title, amended sections 500, 515, 516, 518, 576b, 581h, and 1601 to 1610 of this title, repealed sections 476, 513, and 514 of this title, and enacted provisions set out as notes under sections 476, 513, 528, 594-2, and 1600 of this title. For complete classification of this Act to the Code, see Short Title of 1976 Amendment note set out under section 1600 of this title and Tables.

Sections 620 to 620j of this title, referred to in subsec. (b), was in the original “this title”, meaning title IV of Pub. L. 101-382, Aug. 20, 1990, 104 Stat. 714, known as the Forest Resources Conservation and Shortage Relief Act of 1990, which enacted sections 620 to 620j of this title and provisions set out as notes below. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

AMENDMENTS

1999—Subsec. (b)(3). Pub. L. 106-36, § 1002(a)(1)(A), substituted “GATT 1994 (as defined in section 3501(1)(B) of title 19)” for “General Agreement on Tariffs and Trade”.

Subsec. (b)(5). Pub. L. 106-36, § 1002(a)(1)(B), substituted “WTO Agreement and the multilateral trade agreements (as such terms are defined in paragraphs (9) and (4), respectively, of section 3501 of title 19)” for “General Agreement on Tariffs and Trade”.