

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5007

To authorize the Secretary of Agriculture to use stewardship contracting under which the receipts from the sale of timber and other forest products from National Forest System lands are available to the Secretary to conduct other resource activities on such lands for the improvement and restoration of healthy forest ecosystems.

---

## IN THE HOUSE OF REPRESENTATIVES

AUGUST 20, 1994

Mr. LARocco introduced the following bill; which was referred to the  
Committee on Agriculture

---

## A BILL

To authorize the Secretary of Agriculture to use stewardship contracting under which the receipts from the sale of timber and other forest products from National Forest System lands are available to the Secretary to conduct other resource activities on such lands for the improvement and restoration of healthy forest ecosystems.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Forest Stew-  
5 ardship Contracting Act of 1994”.

1 **SEC. 2. FINDINGS, PURPOSES, AND DEFINITIONS.**

2 (a) FINDINGS.—Congress makes the following find-  
3 ings:

4 (1) In many of the units of the National Forest  
5 System, current conditions, such as heavy fuel loads,  
6 tree density, and increased threats from catastrophic  
7 fires, disease, and insect infestations, adversely af-  
8 fect the biodiversity, health, and sustainability of the  
9 forest ecosystems of such units.

10 (2) The current authority granted to resource  
11 managers of units of the National Forest System  
12 does not provide for the distribution of revenues  
13 from the sale of timber and other forest products to  
14 accomplish ecosystem restoration work under a sin-  
15 gle contract.

16 (3) A new and innovative contracting process  
17 for the National Forest System is required to meet  
18 Federal goals of improving forest resource conditions  
19 through implementation of ecosystem management.

20 (4) The improvement of the forest resource is  
21 important to the long-term viability of species found  
22 on National Forest System lands.

23 (5) Ecosystem restoration work performed as  
24 part of a timber sale contract would improve em-  
25 ployment opportunities in communities near units of

1 the National Forest System to the benefit of long-  
2 term economic health and community stability.

3 (b) PURPOSES.—The purposes of this Act are as fol-  
4 lows:

5 (1) To improve and restore the health of forest  
6 resources through implementation of ecosystem man-  
7 agement.

8 (2) To provide for employment opportunities  
9 and economic stability for communities near units of  
10 the National Forest System.

11 (3) To provide for needed flexibility in procure-  
12 ment and funding practices and in the distribution  
13 of revenues from timber and other forest products to  
14 assist in implementation of ecosystem management.

15 (4) To provide the Secretary of Agriculture  
16 with the authority to enter into stewardship con-  
17 tracts to achieve management requirements pre-  
18 scribed in the following provisions of law:

19 (A) The Act of June 4, 1897 (commonly  
20 known as the Organic Administration Act; 16  
21 U.S.C. 473–475, 477–482, 551).

22 (B) The Multiple-Use Sustained-Yield Act  
23 of 1960 (16 U.S.C. 528–531).

24 (C) The Forest and Rangeland Renewable  
25 Resources Act of 1974 (16 U.S.C. 1600–1614).

1 (D) Section 14 of the National Forest  
2 Management Act of 1976 (16 U.S.C. 472a).

3 (E) The Act of May 23, 1908, and section  
4 13 of the Act of March 1, 1911 (16 U.S.C.  
5 500).

6 (c) DEFINITIONS.—For purposes of this Act:

7 (1) ACCOUNT.—The term “Account” means the  
8 Stewardship Account established under section 5.

9 (2) STEWARDSHIP CONTRACT.—The term  
10 “stewardship contract” means a contract under  
11 which receipts from the sale of timber or other for-  
12 est products are available to finance other resource  
13 activities for the improvement and restoration of for-  
14 est ecosystems of units of the National Forest  
15 System.

16 (3) SECRETARY.—The term “Secretary” means  
17 the Secretary of Agriculture.

18 (4) RESOURCE ACTIVITIES.—The term “re-  
19 source activities” includes site preparation, replant-  
20 ing, fish and wildlife habitat enhancement, silvi-cul-  
21 tural treatments, watershed improvement, fuel treat-  
22 ments (including prescribed burning), and road ob-  
23 literation.

24 (5) RESOURCE MANAGER.—The term ‘resource  
25 manager’ refers to the line officer responsible for

1 management decisions associated with project imple-  
2 mentation on a unit of a national forest.

3 **SEC. 3. USE OF STEWARDSHIP CONTRACTS.**

4 (a) USE AUTHORIZED.—The Secretary shall estab-  
5 lish and implement in the Forest Service a program to  
6 use stewardship contracts for the sale of timber and forest  
7 products on National Forest System lands using resource  
8 activities that provide for the health of the forest, sustain-  
9 able ecosystems and economic assistance to forest re-  
10 source-dependent communities.

11 (b) DEVELOPMENT AND USE OF CONTRACTS.—The  
12 Secretary shall develop a standard stewardship contract  
13 for use throughout the National Forest System. Each re-  
14 source manager of a unit of the National Forest System  
15 may enter into stewardship contracts with qualified non-  
16 Federal entities (as established in regulations relating to  
17 procurement by the Federal Government or as determined  
18 by the Secretary). Contracts should clearly describe the  
19 desired future condition for each resource managed under  
20 the contract and the evaluation criteria to be used to de-  
21 termine acceptable performance. The Secretary shall en-  
22 sure that resource managers give such preferential treat-  
23 ment to small businesses, including small business con-  
24 cerns within the meaning of section 3(a) of the Small  
25 Business Act (15 U.S.C. 632(a)), in the awarding of stew-

1 ardsthip contracts as is required under existing laws and  
2 policies relating to the allocation of timber sale programs  
3 in the Forest Service. The length of a stewardship con-  
4 tract shall be consistent with the requirements of section  
5 14 of the National Forest Management Act of 1976 (16  
6 U.S.C. 472a).

7 (c) SELECTION OF AREAS FOR CONTRACTS.—In se-  
8 lecting areas within units of the National Forest System  
9 to be subject to stewardship contracts, the Secretary and  
10 resource managers shall base the selection on the need to  
11 improve forest health, maintain and improve soil and  
12 water quality, and improve fisheries and wildlife habitat.  
13 Priority shall be given to wildland interface areas with re-  
14 spect to reducing fire hazards and minimizing the effects  
15 of insect and disease infestations.

16 (d) APPLICATION OF CONTRACTS.—Subject to sub-  
17 section (e), the Secretary may apply all or part of the reve-  
18 nues received from the sale of timber or any other forest  
19 products resulting to the Federal Government under a  
20 stewardship contract as an offset against the cost of other  
21 resource activities undertaken by the Secretary.

22 (e) EFFECT ON OTHER REVENUE REQUIREMENTS.—  
23 Required deposits shall continue to be made to the Na-  
24 tional Forest Fund, and 25 percent of the actual value  
25 of timber removed under stewardship contracts shall re-

1 main available for payments to States, as required under  
2 the Act of May 23, 1908, and section 13 of the Act of  
3 March 1, 1911 (16 U.S.C. 500). The Secretary shall first  
4 collect revenues to make such payments before exercising  
5 the authority provided in subsection (d).

6 (f) SUPPLEMENTATION OF CONTRACTS.—Appro-  
7 priated funds may be included in a stewardship contract  
8 before the award of the contract if—

9 (1) the monies are available from the current  
10 annual appropriation; and

11 (2) the monies are provided for the benefiting  
12 function.

13 **SEC. 4. STEWARDSHIP CONTRACT RECEIPTS AND EXPENDI-**  
14 **TURES.**

15 (a) RECEIPTS.—Monetary receipts, as part of the  
16 payment for timber and other forest products under stew-  
17 ardship contracts, shall be deposited in a designated fund  
18 to be known as the “Stewardship Account”. Amounts in  
19 the Account shall be used to make payments to States  
20 under the Act of May 23, 1908, and section 13 of the  
21 Act of March 1, 1911 (16 U.S.C. 500) and to fund re-  
22 source activities. Amounts in the Account are hereby ap-  
23 propriated and shall be available to the Secretary until ex-  
24 pended, except that those amounts found by the Secretary  
25 to be in excess to the needs of the Secretary shall be trans-

1 ferred to miscellaneous receipts in the Treasury of the  
2 United States.

3 (b) EXPENDITURES.—Not less than 80 percent of  
4 amounts in the Account available for resource activities  
5 shall be used for the direct costs of such resource activi-  
6 ties.

7 (c) REPORTING.—As part of the annual report of the  
8 Secretary to Congress, the Secretary shall include an ac-  
9 counting of revenues, expenditures, and accomplishments  
10 related to the stewardship contracts.

11 **SEC. 5. RELATION TO OTHER LAWS.**

12 All stewardship contracts shall comply with existing  
13 applicable laws, and nothing in this Act may be construed  
14 as modifying the provisions of any other law except as ex-  
15 plicitly provided in this Act.

○