

106TH CONGRESS
1ST SESSION

H. R. 1396

To save taxpayers money, reduce the deficit, cut corporate welfare, and protect and restore America's natural heritage by eliminating the fiscally wasteful and ecologically destructive commercial logging program on Federal public lands and to facilitate the economic recovery and diversification of communities dependent on the Federal logging program.

IN THE HOUSE OF REPRESENTATIVES

APRIL 13, 1999

Ms. MCKINNEY (for herself, Mr. LEACH, Mr. ACKERMAN, Mr. ANDREWS, Mr. FORBES, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. LEWIS of Georgia, Mr. McDERMOTT, Mr. PAYNE, Mr. LANTOS, Mr. WEXLER, Mrs. MEEK of Florida, Mrs. JONES of Ohio, Mr. RUSH, Mr. CLAY, Mr. FILLNER, Mr. WAXMAN, Mr. STARK, Mr. LUTHER, Mr. MCGOVERN, Mr. KLECZKA, Mr. DIXON, Mr. MARKEY, Mr. FRANK of Massachusetts, Mr. MARTINEZ, Mr. PASCRELL, Mr. BARRETT of Wisconsin, Ms. WOOLSEY, Mr. OWENS, Ms. LOFGREN, Ms. RIVERS, Mr. BONIOR, Mr. MEEKS of New York, Ms. LEE, Mr. CONYERS, Mr. LARSON, Mr. KUCINICH, Mr. JACKSON of Illinois, Ms. DELAURO, Mr. FRANKS of New Jersey, Ms. WATERS, Mr. FORD, Mr. BROWN of California, Mr. CAPUANO, Mr. HOLT, Mr. TOWNS, and Ms. BALDWIN) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committees on Resources, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To save taxpayers money, reduce the deficit, cut corporate welfare, and protect and restore America's natural heritage by eliminating the fiscally wasteful and ecologically destructive commercial logging program on Federal pub-

lic lands and to facilitate the economic recovery and diversification of communities dependent on the Federal logging program.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
 5 “National Forest Protection and Restoration Act of
 6 1999”.

7 (b) TABLE OF CONTENTS.—The table of contents of
 8 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Findings.
- Sec. 4. Prohibition on timber sales to protect Federal public lands.
- Sec. 5. Effect of prohibition on existing timber sale contracts.
- Sec. 6. Authorization of appropriations.
- Sec. 7. Natural heritage restoration.
- Sec. 8. Worker retraining.
- Sec. 9. Allocation of funds.

9 **SEC. 2. DEFINITIONS.**

10 For purposes of this Act:

11 (1) AGENCIES.—The term “agencies” means
 12 the Forest Service, the National Park Service, the
 13 Bureau of Land Management, and the United
 14 States Fish and Wildlife Service.

15 (2) COMMERCIAL LOGGING.—(A) The term
 16 “commercial logging” means—

17 (i) the sale of timber;

18 (ii) the execution of a timber sale; or

1 (iii) any other transfer of timber to an in-
2 dividual, company, corporation, or other entity,
3 which then uses the timber so transferred for
4 sale.

5 (B) The term includes a sale, execution, or
6 other transfer specified in paragraph (1) regardless
7 of—

8 (i) the stated reason for the sale, execu-
9 tion, or transfer; or

10 (ii) whether the timber is standing, fallen,
11 living, or dead.

12 (3) FEDERAL PUBLIC LANDS.—The term “Fed-
13 eral public lands” means—

14 (A) all lands in the United States included
15 in the National Forest System;

16 (B) all lands in the United States included
17 in the National Wildlife Refuge System;

18 (C) all lands in the United States included
19 in the National Park System; and

20 (D) all lands under the jurisdiction of the
21 Bureau of Land Management.

22 (4) ROADLESS AREA.—The term “roadless
23 area” means each of the following:

24 (A) Any inventoried roadless area.

1 (B) Any area of at least 1,000 contiguous
2 acres meeting Forest Service road density
3 guidelines.

4 (C) Any area of less than 1,000 contiguous
5 acres meeting Forest Service road density
6 guidelines, if the area is adjacent to a unit of
7 the National Wilderness Preservation System, a
8 unit of the National Park System, or a des-
9 ignated Wilderness Study Area.

10 (5) TIMBER SALE.—The term “timber sale”
11 means—

12 (i) the sale of timber;

13 (ii) the offering of timber for sale or con-
14 sideration; or

15 (iii) any other transfer of timber to an in-
16 dividual, company, corporation, or other entity,
17 which then uses the timber so transferred for
18 sale.

19 (B) The term includes a sale, offer, or other
20 transfer specified in paragraph (1) regardless of—

21 (i) the stated reason for the sale, offer, or
22 transfer; or

23 (ii) whether the timber is standing, fallen,
24 living, or dead.

1 **SEC. 3. FINDINGS.**

2 Congress finds the following:

3 (1) Polls conducted by the Forest Service show
4 that a strong majority of the American people think
5 that natural resources on Federal public lands
6 should not be made available to produce consumer
7 goods.

8 (2) The 1995 Forest Service draft report enti-
9 tled “Forest Service Program for Forest and Range-
10 land Resources: A Long-Term Strategic Plan” shows
11 that recreation and tourism in the National Forest
12 System creates over 30 times more jobs, and gen-
13 erates over 30 times more income, than commercial
14 logging on national forests.

15 (3) According to Forest Service figures, timber
16 cut from Federal public lands comprises less than
17 five percent of the annual timber consumption of the
18 United States.

19 (4) The vast majority of America’s original
20 pristine forests have been logged, and what little pri-
21 mary forest that remains exists almost entirely on
22 public lands.

23 (5) The ecological crisis resulting from this se-
24 vere habitat loss and fragmentation of American for-
25 ests requires bold action to protect this Nation’s
26 natural heritage so that pristine forests may remain

1 pristine, and damaged forests may have an oppor-
2 tunity to recover.

3 (6) The 1995 report of the Comptroller General
4 regarding distribution of Forest Service timber sales
5 receipts (GAO/RCED-95-237FS) and the 1998 fol-
6 low-up report (GAO/RCED-99-24) reveal that, of
7 the hundreds of millions of dollars of taxpayer
8 money that is annually expended on the Forest Serv-
9 ice timber sales program, only a small fraction finds
10 its way back to the Federal Treasury, resulting in
11 an enormous net loss to taxpayers.

12 (7) The timber-oriented counties in Oregon,
13 Washington, and California that currently receive a
14 percentage of timber sales receipts from commercial
15 logging are guaranteed, by sections 13982 and
16 13983 of Public Law 103-66 (16 U.S.C. 500 note;
17 43 U.S.C. 1181f note), to continue to receive these
18 payments at near historic levels through fiscal year
19 2003, regardless of logging levels on public lands.

20 (8) Forests absorb rainfall, retard stream run-
21 off, reduce floods, increase slope stability, and retain
22 topsoil, and retard soil erosion and siltation in
23 streams, irrigation ditches, and reservoirs.

24 (9) Commercial logging has many indirect costs
25 which are very significant, but not easily measured,

1 such as flooding damage and relief of flooding dam-
2 age through Federal funds, damage to the salmon
3 fishing industry; and harm to the recreation and
4 tourism industries.

5 (10) A congressionally commissioned scientific
6 study of the Sierra Nevada forests found that more
7 than any other human activity, commercial logging
8 has increased the risk and severity of fires by remov-
9 ing the cooling shade of trees and leaving flammable
10 debris (see Sierra Nevada Ecosystem Project Final
11 Report to Congress, Vol. 1, Assessment Summaries
12 and Management Strategies, 1996).

13 (11) It is in the interests of the American peo-
14 ple to protect watersheds on Federal public lands in
15 order to prevent potentially damaging and deadly
16 floods.

17 **SEC. 4. PROHIBITION ON TIMBER SALES TO PROTECT FED-**
18 **ERAL PUBLIC LANDS.**

19 (a) PROHIBITION ON NEW TIMBER SALES.—Not-
20 withstanding any other provision of law, effective as of the
21 date of the enactment of this Act, no timber sales shall
22 be prepared, advertised, offered, or awarded on Federal
23 public lands and, except as provided in section 5, no com-
24 mercial logging shall occur on Federal public lands.

1 (b) EXCEPTIONS.—The gathering of firewood or
2 other wood by individuals for personal, noncommercial
3 use, through free-use permits under the personal use com-
4 ponent of the forest management program of the Forest
5 Service or an equivalent program of the Bureau of Land
6 Management, the National Park Service, or the United
7 States Fish and Wildlife Service, to the extent allowed
8 under existing law, is not prohibited by subsection (a) but
9 must be consistent with section 7 of this Act.

10 (c) NATIVE AMERICAN TRIBES.—Nothing contained
11 in this Act shall be construed to modify, amend, or breach
12 any treaty in existence on the date of enactment of this
13 Act with any Native American tribe.

14 **SEC. 5. EFFECT OF PROHIBITION ON EXISTING TIMBER**
15 **SALE CONTRACTS.**

16 (a) REMAINING SALVAGE RIDER SALES.—Notwith-
17 standing any outstanding judicial order or administrative
18 proceeding interpreting section 2001 of Public Law 104–
19 19 (109 Stat. 240; 16 U.S.C. 1611 note), the Secretary
20 of Agriculture and the Secretary of the Interior shall im-
21 mediately suspend each timber sale or activity that was
22 being undertaken in whole or in part under the authority
23 provided in such section.

24 (b) ROADLESS AREAS.—Notwithstanding any other
25 provision of law, the Secretary of Agriculture and the Sec-

1 retary of the Interior shall immediately suspend each tim-
2 ber sale in any roadless area on Federal public lands.

3 (c) PHASE-OUT PERIOD AUTHORIZED.—There shall
4 be a 2-year period to phase out those timber sale contracts
5 in existence as of the date of the enactment of this Act.
6 The phase-out period shall begin on the date of the enact-
7 ment of this Act. Any remaining timber sales on Federal
8 public lands shall be automatically suspended upon the ex-
9 piration of the phase-out period. Notwithstanding any
10 other provision of law, no commercial logging shall occur
11 anywhere on Federal public lands after the end of the
12 phase-out period.

13 (d) EARLY TERMINATION.—For all timber sales sus-
14 pended under subsection (a), subsection (b), and sub-
15 section (c) of this subsection, the Secretary concerned
16 shall—

17 (1) exercise any provision of the original con-
18 tract that authorizes termination and payment of
19 specified damages; or

20 (2) terminate the contract to avoid adverse ef-
21 fects on the environment or natural resources.

22 (e) PAYMENT FOR TIMBER SALE CONTRACTS RELIN-
23 QUISHED.—Any claim, whether as a result of a judgment
24 or an agreement against the Federal Government, arising

1 from termination of any timber sale contract under sub-
2 section (d) of this subsection, may be—

3 (1) paid from funds made available under sec-
4 tion 1304 of title 31, United States Code, and shall
5 not require reimbursement under section 13(c) of
6 the Contract Disputes Act of 1978 (41 U.S.C.
7 612(c));

8 (2) offset by forgiveness of a Federal Govern-
9 ment loan or loan guarantee;

10 (3) paid through funds appropriated for the
11 purpose; or

12 (4) paid through the transfer of funds from any
13 of the following Forest Service or Bureau of Land
14 Management timber accounts:

15 (A) Timber sales management.

16 (B) Forest land vegetation management.

17 (C) Forest roads program.

18 (D) General administration related to com-
19 mercial logging.

20 (f) DISPUTES.—Any claim by a purchaser against the
21 Federal Government relating to a contract terminated
22 under this section shall be subject to the Contract Dis-
23 putes Act of 1978 (41 U.S.C. 601 et seq.).

1 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) CALCULATION OF LOGGING SUBSIDY.—The Sec-
3 retary of Agriculture, in consultation with the Secretary
4 of the Interior, shall determine the average amount of
5 Federal funds appropriated annually from the General
6 Fund of the Treasury over the five fiscal years imme-
7 diately preceding the date of the enactment of this Act
8 for commercial logging and commercial logging-related ac-
9 tivities on Federal public lands. In making this determina-
10 tion, the Secretary shall include amounts expended for the
11 following, using estimates, where necessary:

12 (1) Timber sales management.

13 (2) Forest-land vegetation management.

14 (3) Land management planning, inventory, and
15 monitoring related to commercial logging.

16 (4) Research related to commercial logging.

17 (5) The portion of the forest roads and road
18 maintenance program related to commercial logging.

19 (6) General administration expenses related to
20 commercial logging.

21 (7) Landline location related to commercial log-
22 ging.

23 (8) Law enforcement related to commercial log-
24 ging.

25 (9) The portion of the forest fire fighting and
26 prevention program related to commercial logging.

1 (10) The portion of any other activities related
2 to commercial logging.

3 (b) AUTHORIZATION.—There are authorized to be ap-
4 propriated such sums as may be necessary to carry out
5 this Act in the fiscal years beginning after the date of the
6 enactment of this Act, but not to exceed for any fiscal
7 year one-half of the logging subsidy amount calculated in
8 subsection (a).

9 (c) ADMINISTRATIVE EXPENSES.—Not more than
10 ten percent of the funds appropriated or allocated to carry
11 out sections 7 and 8 may be reserved for the administra-
12 tion of activities authorized under those sections.

13 **SEC. 7. NATURAL HERITAGE RESTORATION.**

14 (a) NATURAL HERITAGE RESTORATION CORPS.—
15 The Secretary of the Interior and the Secretary of Agri-
16 culture shall each establish a special unit (to be known
17 as the Natural Heritage Restoration Corps) for the pur-
18 poses of conducting, in areas of Federal public lands
19 where commercial logging has occurred, the following ac-
20 tivities:

21 (1) Restore native vegetative cover.

22 (2) Conduct prescribed burning where necessary
23 to reduce fire risk caused by commercial logging.

24 (3) Stabilize slopes and soils so as to prevent or
25 reduce further erosion.

1 (4) Recontour slopes to their original contours,
2 where deemed appropriate and beneficial.

3 (5) Decommission and obliterate logging roads
4 in order to recover roadless characteristics.

5 (6) Remove man-made barriers to natural fish
6 spawning runs.

7 (7) Generally restore, as much as possible, such
8 areas to their natural condition as existed prior to
9 the occurrence of commercial logging.

10 (b) PERSONNEL AND EQUIPMENT.—The Natural
11 Heritage Restoration Corps shall hire the necessary per-
12 sonnel, which may include private contractors, and pur-
13 chase or lease the necessary equipment to implement the
14 Natural Heritage Restoration Plans and achieve the goals
15 and objectives as set forth by the Secretaries of Agri-
16 culture and Interior under this section. There shall be a
17 hiring preference for dislocated timber workers who have
18 been terminated or laid off, or have received a notice of
19 termination or lay off, as a consequence of the enactment
20 of this Act.

21 (c) NATURAL HERITAGE RESTORATION PLANS.—

22 (1) NATIONAL FOREST SYSTEM LANDS.—For
23 lands in the National Forest System, the Secretary
24 of Agriculture shall develop Natural Heritage Res-
25 toration Plans at the regional level to carry out the

1 activities specified in subsection (a) in accordance
2 with the standards, guidelines, and procedures devel-
3 oped in subsection (d). Such Plans shall be com-
4 pleted no later than eighteen months after the date
5 of enactment of this Act.

6 (2) BLM AND NATIONAL WILDLIFE REFUGE
7 LANDS.—For lands under the jurisdiction of the Bu-
8 reau of Land Management, and, as necessary for
9 National Wildlife Refuges, the Secretary of the Inte-
10 rior shall develop Natural Heritage Restoration
11 Plans at the regional level to carry out the objectives
12 of subsection (a) in accordance with the standards,
13 guidelines, and procedures developed in subsection
14 (d). Such plans shall be completed no later than
15 eighteen months after the date of enactment of this
16 Act.

17 (d) DEVELOPING STANDARDS, GUIDELINES, AND
18 PROCEDURES FOR RESTORATION.—

19 (1) RESPONSIBILITIES OF THE SECRETARIES.—
20 The Secretary of Agriculture and Secretary of the
21 Interior shall develop regional standards, guidelines,
22 and procedures for restoration as soon as practicable
23 after the date of enactment of this Act, and shall
24 begin to incorporate these regional standards, guide-
25 lines, and procedures into land management plans

1 for Federal public lands as soon as practicable. The
2 Secretaries shall complete such incorporation for all
3 Federal public lands by no later than two years after
4 the date of enactment of this Act. The Secretaries
5 shall report to the Congress on the progress of such
6 incorporation in the annual report required by sec-
7 tion 8(c) of the Forest and Rangeland Renewable
8 Resources Planning Act of 1974 (16 U.S.C.
9 1606(c)) and section 311 of the Federal Land Policy
10 and Management Act of 1976 (43 U.S.C. 1741).

11 (2) COMMITTEE OF SCIENTISTS.—In carrying
12 out the purposes of this subsection, the Secretary of
13 the Interior shall appoint a committee of scientists
14 for each of the Forest Service regions in the United
15 States who are not officers or employees of the For-
16 est Service or the Bureau of Land Management. The
17 committee shall provide scientific and technical ad-
18 vice and counsel on proposed standards, guidelines,
19 and procedures to assure that an effective inter-
20 disciplinary approach is proposed and adopted for
21 the development of Natural Heritage Restoration
22 Plans for each region. The committee shall termi-
23 nate upon promulgation of the standards, guidelines,
24 and procedures, but the Secretary shall, from time
25 to time, appoint similar committees when consid-

1 ering revisions of regional standards, guidelines, and
2 procedures. Standards, guidelines, and procedures
3 for developing Natural Heritage Restoration Plans
4 for each region shall be completed no later than one
5 year after the date of enactment of this Act. The
6 views of the committees shall be included in the pub-
7 lic information supplied when the standards and
8 guidelines are proposed for adoption.

9 (3) CLERICAL AND TECHNICAL ASSISTANCE.—
10 Clerical and technical assistance, as may be nec-
11 essary to discharge the duties of the committee of
12 scientists established under paragraph (2) of this
13 subsection, shall be provided from the personnel of
14 the Department of Agriculture or the Department of
15 Interior, as appropriate.

16 (4) COMPENSATION.—While attending meetings
17 of the committee, the members shall be entitled to
18 receive compensation at a rate of \$200 per diem, in-
19 cluding travel time, and while away from their
20 homes or regular places of business they may be al-
21 lowed travel expenses, including per diem in lieu of
22 subsistence, as authorized by section 5703 of title 5,
23 United States Code, for persons in the Government
24 service employed intermittently.

1 (e) INTERIM NEEDS FOR RESTORATION.—During
2 the interim period while regional standards, guidelines,
3 and procedures are being developed, the Secretary of Agri-
4 culture and Secretary of the Interior shall identify interim
5 needs for restoration and take prompt action to begin res-
6 toration work with available personnel, until the Natural
7 Heritage Restoration Corps is established. Interim needs
8 for restoration shall be limited to the following:

9 (1) Prescribed burning and slash disposal where
10 necessary to reduce fire risk.

11 (2) Stabilization of slopes and soils so as to
12 prevent or reduce further erosion and land sliding in
13 areas that have been logged.

14 (3) Decommissioning and obliteration of logging
15 roads.

16 (f) RESTORATION GOALS AND OBJECTIVES.—Within
17 one year of the date of enactment of this Act, the Sec-
18 retary of Agriculture and the Secretary of the Interior
19 shall develop specific restoration goals and objectives for
20 each Unit of the Federal public lands, and shall, within
21 the same time period, develop a specific schedule to accom-
22 plish those goals and objectives with the funds made avail-
23 able to carry out this section, as authorized in section 6
24 of this Act.

1 (g) PLAN TRANSITION.—Except as otherwise pro-
2 vided in section 4 and 5, and elsewhere in this Act, any
3 plan, policy, or guidance of the Agencies, with respect to
4 Federal public lands, in effect on the date of enactment
5 of this Act shall continue to apply to such lands until such
6 plan, policy or guidance is revised, amended, or changed
7 as provided in this section.

8 (h) PUBLIC PARTICIPATION.—This subsection shall
9 be carried out in compliance with the National Environ-
10 mental Policy Act of 1969 and its implementing regula-
11 tions.

12 **SEC. 8. WORKER RETRAINING.**

13 (a) ELIGIBLE INDIVIDUAL DEFINED.—For the pur-
14 poses of this section, the term “eligible individual” means
15 an individual who—

16 (1) is a dislocated worker, as that term is de-
17 fined in section 101 of the Workforce Investment
18 Act of 1998 (Public Law 105–220; 112 Stat. 939;
19 29 U.S.C. 2801); and

20 (2) has been terminated or laid off, or has re-
21 ceived a notice of termination or lay off, as a con-
22 sequence of the enactment of this Act, or as a con-
23 sequence of management decisions on Federal public
24 lands prior to the enactment of this Act.

1 (b) DETERMINATIONS OF ELIGIBILITY.—The deter-
2 mination of whether an individual is an eligible individual
3 shall be made by the Secretary of Labor, pursuant to cri-
4 teria established by the Secretary of Labor, in consultation
5 with the Secretaries of Agriculture and the Interior.

6 (c) GRANTS AUTHORIZED.—The Secretary of Labor
7 may make grants to States, employers, employer associa-
8 tions, and representatives of employees—

9 (1) to provide training, adjustment assistance,
10 and employment services to eligible individuals; and

11 (2) to make needs-related payments to eligible
12 individuals in accordance with subsection (h).

13 (d) PRIORITY AND APPROVAL.—

14 (1) PRIORITY.—In reviewing applications for
15 grants under subsection (c), the Secretary of Labor
16 shall give priority to applications proposing to pro-
17 vide training, adjustment assistance, and services in
18 areas which have the greatest number or percentage
19 of eligible individuals.

20 (2) NEEDS-RELATED PAYMENTS REQUIRED.—

21 The Secretary of Labor shall not approve an appli-
22 cation for a grant under subsection (c) unless the
23 application contains assurances that the applicant
24 will use grant funds to provide needs-related pay-
25 ments in accordance with subsection (h).

1 (e) USE OF FUNDS.—Subject to the requirements of
2 subsections (f), (g), and (h), grants under subsection (c)
3 may be used for any purpose for which funds may be used
4 under section 134 of the Workforce Investment Act of
5 1998 (Public Law 105–220; 112 Stat. 990; 29 U.S.C.
6 2864).

7 (f) JOB SEARCH ALLOWANCE.—

8 (1) ALLOWANCE AUTHORIZED.—Grants under
9 subsection (c) for adjustment assistance may be
10 used to provide job search allowances to eligible indi-
11 viduals. Such allowance, if granted, shall provide re-
12 imbursement to the individual of not more than 90
13 percent of the cost of necessary job search expenses,
14 as prescribed by regulations of the Secretary of
15 Labor, but may not exceed \$1,200 unless the need
16 for a greater amount is justified in the application
17 and approved by the Secretary of Labor.

18 (2) CRITERIA FOR GRANTING JOB SEARCH AL-
19 LOWANCES.—A job search allowance may be granted
20 only—

21 (A) to assist an eligible individual who has
22 been totally separated in securing a job within
23 the United States; and

24 (B) where the Secretary of Labor deter-
25 mines that such employee cannot reasonably be

1 expected to secure suitable employment in the
2 commuting area in which the worker resides.

3 (g) RELOCATION ALLOWANCE.—

4 (1) ALLOWANCE AUTHORIZED.—Grants under
5 subsection (c) for adjustment assistance may be
6 used to provide relocation allowances to eligible indi-
7 viduals. Such an allowance may only be granted to
8 assist an eligible individual in relocating within the
9 United States and only if the Secretary of Labor de-
10 termines that such employee;

11 (A) cannot reasonably be expected to se-
12 cure suitable employment in the commuting
13 area in which the employee resides;

14 (B) has obtained suitable employment af-
15 fording a reasonable expectation of long-term
16 duration in the area in which the employee
17 wishes to relocate, or has obtained a bona fide
18 offer of such employment, and

19 (C) is totally separated from employment
20 at the time relocation commences.

21 (2) AMOUNT OF RELOCATION ALLOWANCE.—

22 The amount of any relocation allowance for any eli-
23 gible individual may not exceed the amount which is
24 equal to the sum of—

1 (A) 90 percent of the reasonable and nec-
2 essary expenses, specified in regulations pre-
3 scribed by the Secretary, incurred in trans-
4 porting an individual and the individual's fam-
5 ily, if any, and household effects; and

6 (B) a lump sum equivalent to 3 times the
7 employee's average weekly wage, up to a max-
8 imum payment of \$1,200, unless the need for
9 a greater amount is justified in the application
10 and approved by the Secretary of Labor.

11 (h) NEEDS-RELATED PAYMENTS.—The Secretary of
12 Labor shall prescribe regulations with respect to the use
13 of funds from grants under subsection (c) for needs-re-
14 lated payments in order to enable eligible individuals to
15 complete training or education programs under this sec-
16 tion. Such regulations shall—

17 (1) require that such payments shall be pro-
18 vided to an eligible individual only if such
19 individual—

20 (A) does not qualify or has ceased to qual-
21 ify for unemployment compensation;

22 (B) has been enrolled in training by the
23 end of the 13th week of the individual's initial
24 unemployment compensation benefit period, or,
25 if later, the end of the 8th week after an indi-

1 vidual is informed that a short-term layoff will
2 in fact exceed six months; and

3 (C) is participating in training or edu-
4 cation programs under this section, except that
5 such regulations shall protect an individual
6 from being disqualified pursuant to this clause
7 for a failure to participate that is not the fault
8 of the individual;

9 (2) provide that to qualify for such payments
10 the individual currently receives, or is a member of
11 a family which currently receives, a total family in-
12 come (exclusive of unemployment compensation,
13 child support payments, and welfare payments)
14 which, in relation to family size, is not in excess of
15 the lower living standard income level;

16 (3) provide that the levels of such payments
17 shall be equal to the higher of—

18 (A) the applicable level of unemployment
19 compensation; or

20 (B) the poverty level determined in accord-
21 ance with criteria established by the Director of
22 the Office of Management and Budget;

23 (4) provide for the adjustment of payments to
24 reflect changes in total family income; and

1 (5) provide that the grantee shall obtain infor-
2 mation with respect to such income, and changes
3 therein, from the eligible individual.

4 (i) REGULATIONS.—The Secretary of Labor shall
5 prescribe regulations to carry out this section not later
6 than 180 days after the date of enactment of this Act.

7 **SEC. 9. ALLOCATION OF FUNDS.**

8 (a) AVAILABILITY OF CERTAIN ACCOUNTS.—Not-
9 withstanding any other provision of law, from the date of
10 the enactment of this Act through the duration of the two-
11 year phase-out period provided in section 5 plus one year
12 thereafter, all funds in each of the following Forest Service
13 and Bureau of Land Management accounts, including any
14 funds deposited into these accounts during the two-year
15 phase-out period, shall be used only to carry out this Act:

16 (1) Timber salvage funds (including the Salvage
17 Sale Fund established under section 14(h) of the
18 National Forest Management Act of 1976 (16
19 U.S.C. 472a(h))).

20 (2) The fund established under section 3 of the
21 Act of June 9, 1930 (commonly known as the
22 Knutson-Vandenberg Act; 16 U.S.C 576b).

23 (3) The fund containing moneys associated with
24 the Purchaser-Elect Roads Program under section 6

1 of the Act of October 13, 1964 (commonly known as
2 the Forest Roads And Trails Act; 16 U.S.C. 537).

3 (b) ALLOCATION OF TIMBER SALES REVENUES DUR-
4 ING PHASE-OUT PERIOD.—Notwithstanding any other
5 provision of law, from the date of the enactment of this
6 Act through the duration of the two-year phase-out period,
7 all timber sale revenues from Federal public lands shall
8 be deposited in the fund established under section 3 of
9 the Act of June 9, 1930 (commonly known as the
10 Knutson-Vandenberg Act; 16 U.S.C 576b).

11 (c) ABOLISHMENT OF ACCOUNTS.—Notwithstanding
12 any other provision of law, the funds referred to in sub-
13 section (a) shall be used to carry out this section until
14 no funds remain in such accounts, after which these ac-
15 counts shall be abolished.

16 (d) PAYMENTS TO STATES.—For the fiscal year in
17 which this Act is enacted and each fiscal year thereafter
18 through fiscal year 2003, revenue sharing payments to
19 States from timber sale receipts, which have annually been
20 made pursuant to the Act of May 23, 1908 (16 U.S.C.
21 500) shall be paid from the funds referred to in subsection
22 (a) of this section, except that no such payments shall be
23 made for counties already receiving “Spotted Owl Pay-
24 ments” pursuant to section 13982 or 13983 of Public Law
25 103–66 (16 U.S.C. 500 note; 43 U.S.C. 1181f note). Pay-

1 ments under this subsection shall be made in an amount
2 equivalent to the revenue-sharing payments to States from
3 timber sale receipts in fiscal year 1996 (\$125,000,000).
4 Should the monies in the funds referred to in subsection
5 (a) fall below \$380,000,000 cumulatively, the Secretary
6 of the Treasury shall make these payments out of money
7 in the Treasury not otherwise appropriated.

8 (e) WORKER RETRAINING.—Monies shall be distrib-
9 uted from the funds referred to in subsection (a) to carry
10 out section 8. Such distributions shall be made in amounts
11 up to \$100,000,000 in the first year of the phase-out pe-
12 riod, and \$100,000,000 and \$150,000,000, respectively,
13 in the subsequent two years.

14 (f) ALTERNATIVES TO WOOD.—From the funds re-
15 ferred to in subsection (a), at least \$1,000,000 and up
16 to \$3,000,000 shall be distributed to the Environmental
17 Protection Agency to fund an investigation into wood-free
18 alternative products for paper and construction. Within
19 one year after the date of the enactment of this Act, the
20 Administrator of the Environmental Protection Agency
21 shall make recommendations for grants to entities involved
22 in the development and production of the most environ-
23 mentally sound non-wood alternatives for paper and con-
24 struction products. Up to \$30,000,000 from the funds re-
25 ferred to in subsection (a) shall be made available to the

1 Environmental Protection Agency for such grants, which
2 shall be made within three years after the date of the en-
3 actment of this Act.

4 (g) ALLOCATION OF REMAINING FUNDS.—Any funds
5 remaining in the accounts referred to in subsection (a) in
6 the fourth year after the date of the enactment of this
7 Act shall be deposited into the general fund of the United
8 States Treasury.

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