sources 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.)

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, as amended, 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, as amended, 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1600, and 1611 to 1614 of this title, amended sections 500, 515, 516, 518, 576b, 581h, and 1601 to 1610 of this title, repealed sections 476, 513, and 514 of this title, and enacted provisions set out as notes under sections 476, 513, 528, 594–2, and 1600 of this title.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, 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 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''.

EFFECTIVE DATE

Section 494 of title IV of Pub. L. 101–382 provided that: ''Except as otherwise provided in this title, the provisions of this title [enacting this section and sections 620a to 620j of this title and provisions set out as a note below] take effect on the date of the enactment of this Act [Aug. 20, 1990].''

SHORT TITLE OF 1997 AMENDMENT

Pub. L. 105–83, title VI, §601, Nov. 14, 1997, 111 Stat. 1617, provided that: ''This title [amending sections 620b to 620f of this title] may be cited as the 'Forest Resources Conservation and Shortage Relief Act of 1997'.''

SHORT TITLE OF 1993 AMENDMENT

Pub. L. 103–45, §1, July 1, 1993, 107 Stat. 223, provided that: ''This Act [amending sections 620c and 620d of this title and enacting provisions set out as a note under section 620c of this title] may be cited as the 'Forest Resources Conservation and Shortage Relief Amendments Act of 1993'.''

SHORT TITLE

Section 487 of title IV of Pub. L. 101–382 provided that: ''This title [enacting this section and sections 620a to 620j of this title and provisions set out as a note above] may be cited as the 'Forest Resources Conservation and Shortage Relief Act of 1990'.''

§ 620a. Restrictions on exports of unprocessed timber originating from Federal lands

(a) Prohibition on export of unprocessed timber originating from Federal lands

No person who acquires unprocessed timber originating from Federal lands west of the 100th meridian in the contiguous 48 States may export such timber from the United States, or sell, trade, exchange, or otherwise convey such timber to any other person for the purpose of exporting such timber from the United States, unless such timber has been determined under subsection (b) of this section to be surplus to the needs of timber manufacturing facilities in the United States.

(b) Surpluses

(1) Determinations by Secretary concerned

The prohibition contained in subsection (a) of this section shall not apply to specific quantities of grades and species of unprocessed timber originating from Federal lands which the Secretary concerned determines to be surplus to domestic manufacturing needs.

(2) Procedures

Any determination under paragraph (1) shall be made in regulations issued in accordance with section 553 of title 5. Any such determination shall be reviewed at least once in every 3-year period. The Secretary concerned shall publish notice of such review in the Federal Register, and shall give the public an opportunity to comment on such review.

(Pub. L. 101–382, title IV, §489, Aug. 20, 1990, 104 Stat. 715.)

§ 620b. Limitations on substitution of unprocessed Federal timber for unprocessed timber exported from private lands

(a) Direct substitution

(1) Except as provided in paragraph (3) and subsection (c) of this section, no person may purchase directly from any department or agency of the United States unprocessed timber originating from Federal lands west of the 100th meridian in the contiguous 48 States if—

(A) such unprocessed timber is to be used in substitution for exported unprocessed timber originating from private lands; or

(B) such person has, during the preceding 24-month period, exported unprocessed timber originating from private lands.

(2) Notwithstanding paragraph (1)—

(A) Federal timber purchased pursuant to a contract entered into between the purchaser and the Secretary concerned before the date on which regulations to carry out this subsection are issued under section 620f of this title shall be governed by the regulations of the Secretary concerned in effect before such date that restrict the substitution of unprocessed timber originating from Federal lands for exported timber originating from private lands;