

**Title 43: Public Lands: Interior**  
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**Subpart 5424—Preparation of Contract**

**§ 5424.0-6 Policy.**

- (a) All timber sales shall be made on contract or permit forms approved by the Director, BLM.
- (b) Other than for incidental use, the severance and/or removal of any vegetative resource for personal or commercial use requires a written contract or permit issued by the authorized officer or other person authorized by the United States. All contracts or permits shall contain the following:
- (1) The name of the purchaser or his/her authorized representative with complete mailing address.
  - (2) The specific vegetative resources authorized for removal and their respective quantities and values.
  - (3) The specific location from which the vegetative resources are to be removed.
  - (4) The term for which the contract or permit is valid.
  - (5) Contract or permit conditions and stipulations.
  - (6) Signature of purchaser or authorized representative.
- (c) The authorized officer may include additional provisions in the contract or permit to cover conditions peculiar to the sale area, such as road construction, logging methods, silvicultural practices, reforestation, snag felling, slash disposal, fire prevention, fire control, and the protection of improvements, watersheds, recreational values, and the prevention of pollution or other environmental degradation.
- (d) The contract or permit from and any additional provisions shall be made available for inspection by prospective bidders during the advertising period. When sales are negotiated, all additional provisions shall be made part of the contract or permit.
- (e) Except for such specific quantities of grades and species of unprocessed timber determined to be surplus to domestic lumber and plywood manufacturing needs, each timber sale contract shall include provisions that prohibit:
- (1) The export of any unprocessed timber harvested from the area under contract; and
  - (2) The use of any timber of sawing or peeler grades, sold pursuant to the contract, as a substitute for timber from private lands which is exported or sold for export by the purchaser, an affiliate of the purchaser, or any other parties.

[56 FR 10175, Mar. 11, 1991]

**§ 5424.1 Reporting provisions for substitution determination.**

- (a) To determine whether substitution has occurred, the authorized officer may require that information identified in the contract be reported by:

(1) A purchaser who has exported private timber within one year preceding the purchase date of Federal timber, and/or

(2) An affiliate of a timber purchaser who exported private timber within one year before the acquisition of Federal timber from the purchaser.

(b) Purchasers or affiliates of purchasers shall retain a record of Federal timber acquisitions and private timber exports for three years from the date the activity occurred.

(Information collection requirements contained in paragraph (a) were approved by the Office of Management and Budget under control number 1004-0058)

[46 FR 29263, June 1, 1981]