

Ben Ray Lujan

AMENDMENT NO. _____ Calendar No. _____

Purpose: To authorize the Secretary to give preference to local contractors in awarding contracts to carry out certain hazardous fuel reduction projects on Federal land.

IN THE SENATE OF THE UNITED STATES—119th Cong., 1st Sess.

S. 1462

To improve forest management activities on National Forest System land, public land under the jurisdiction of the Bureau of Land Management, and Tribal land to return resilience to overgrown, fire-prone forested land, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. LUJÁN to the
amendment (No. _____) proposed by

Viz:

1 At the end of subtitle B of title I, add the following:

2 **SEC. 120A. CONTRACT PREFERENCE FOR LOCAL CONTRAC-**
3 **TORS FOR CERTAIN HAZARDOUS FUEL RE-**
4 **DUCTION PROJECTS.**

5 (a) IN GENERAL.—Title I of the Healthy Forests
6 Restoration Act of 2003 is amended—

1 (1) by redesignating sections 107 and 108 (16
2 U.S.C. 6517, 6518) as sections 108 and 109, respec-
3 tively; and

4 (2) by inserting after section 106 (16 U.S.C.
5 6516) the following:

6 **"SEC. 107. CONTRACT PREFERENCE FOR LOCAL CONTRAC-**
7 **TORS FOR CERTAIN HAZARDOUS FUEL RE-**
8 **DUCTION PROJECTS.**

9 "(a) DEFINITIONS.—In this section:

10 "(1) APPROPRIATE LOCAL CONTRACTOR.—The
11 term 'appropriate local contractor' means an entity
12 that carries out, pursuant to a contract or agree-
13 ment, 1 or more authorized projects located—

14 "(A) in a State in which—

15 "(i) the entity has its principal place
16 of business, as certified by the entity or an
17 individual representing the entity; and

18 "(ii) not fewer than 26 percent of the
19 total workforce assigned to the applicable
20 contract or agreement (including sub-
21 contractors at any tier) will reside, as cer-
22 tified by the entity or an individual rep-
23 resenting the entity; or

24 "(B) within a 60-mile radius of the State
25 in which the entity is registered as a business

1 or has its principal place of business, as cer-
2 tified by the entity or an individual representing
3 the entity.

4 “(2) AUTHORIZED PROJECT.—The term ‘au-
5 thorized project’ includes any activity carried out
6 pursuant to—

7 “(A) an authorized hazardous fuel reduc-
8 tion project; or

9 “(B) a fireshed management project (as
10 defined in section 2 of the Fix Our Forests
11 Act).

12 “(3) SECRETARY.—The term ‘Secretary’ means
13 the Secretary of Agriculture, acting through the
14 Chief of the Forest Service.

15 “(b) CONTRACT PREFERENCE.—Effective beginning
16 on the date of enactment of the Fix Our Forests Act, the
17 Secretary shall give preference in awarding a contract to
18 carry out an authorized project in a State to an appro-
19 priate local contractor, to the maximum extent practicable.

20 “(c) REPORT.—Not later than 2 years after the date
21 of enactment of the Fix Our Forests Act, and not less
22 frequently than annually thereafter, the Secretary shall
23 submit to Congress a report that includes—

24 “(1) a quantitative analysis of the number and
25 percentage of contracts awarded to appropriate local

1 contractors, the total dollar value of those contracts,
2 and an assessment of the economic impact of the
3 contract preference under subsection (b) on local
4 employment and contractor capacity;

5 “(2) a description of the reasons for awarding
6 a contract to carry out an authorized project in a
7 State to an individual or entity that is not an appro-
8 priate local contractor; and

9 “(3) a description of the implementation by the
10 Secretary of this section.

11 “(d) MONITORING AND EVALUATION.—

12 “(1) IN GENERAL.—The Secretary shall estab-
13 lish a monitoring and evaluation process—

14 “(A) to assess compliance with the require-
15 ments of this section, including the contract
16 preference under subsection (b); and

17 “(B) to support the reports required under
18 subsection (c).

19 “(2) PARTICIPANTS.—The process described in
20 paragraph (1) may include participation by—

21 “(A) any cooperating governmental agen-
22 cies, including Tribal governments; and

23 “(B) any other interested groups or indi-
24 viduals.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 contained in section 1(b) of the Healthy Forests Restora-
3 tion Act of 2003 (Public Law 108–148; 117 Stat. 1887)
4 is amended by striking the items relating to sections 107
5 and 108 and inserting the following:

“Sec. 107. Contract preference for local contractors for certain hazardous fuel
reduction projects.

“Sec. 108. Effect of title.

“Sec. 109. Authorization of appropriations.”.