



**File Code:** 2450-3

**Date:** August 1, 2008

**Route To:**

**Subject:** 2008 Farm Bill Two - Qualifying Timber Contracts

**To:** Regional Foresters

On June 18, 2007, Section 8401 of the Food, Conservation, and Energy Act of 2008, Pub. L. No. 110-234, 122 Stat. 93 (May 22, 2008) (Farm Bill One) was repealed, and section 8401 of the Food, Conservation, and Energy Act of 2008, Pub. L. No. 110-246, 122 Stat. 1651 (June 18, 2008) (hereinafter Farm Bill Two) was enacted. Therefore, the contracting officer's authority under Farm Bill One ceased on June 18, 2008, and the contracting officer's authority then came under Farm Bill Two. Because of this change contracting officers must stop processing requests for relief under Farm Bill One and begin processing requests for relief under Farm Bill Two. Modifications that have already been signed are to be considered as final. Except that, requests for relief under Farm Bill One that meet all four of the following conditions can be consummated:

1. The contracting officer determined a rate applicable on May 22, 2008.
2. The contracting officer determined its specific applicability to a contract.
3. The contracting officer verbally or in writing offered the resulting rate redetermination to the contractor.
4. The contractor verbally or in writing accepted the offered rate prior to June 18, 2008.

Requests for relief under Farm Bill One that do not meet all four of these conditions must be denied and processed under the terms in Farm Bill Two. Timber sale purchasers seeking one or more of the options must request them by September 16, 2008. Enclosed are general instructions and forms to assist contracting officers in advising purchasers of options they may be entitled to under the Farm Bill and in processing requests for relief pursuant to the Farm Bill.

Processing requests for relief under this Act is a very high priority for the Agency. Please assure that contracting officers receive the support they need to guarantee prompt handling of requests.

*/s/ Thomas A. Peterson*  
THOMAS A. PETERSON  
Director for Forest Management

Enclosures (5)

cc: pdl wo nfs f&rge fm regional program managers  
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