



Forest Service Strikes Obsolete Timber Sale "Purchaser Credit" Rules From 36 CFR 223, Effective November 5

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The USDA Forest Service published a final rule removing its timber purchaser credit regulations for National Forest System timber sale contracts. Congress ended the authority after April 1, 1999, and no contracts remain under it. The cleanup takes effect November 5, 2026.

The USDA Forest Service published a final rule in the Federal Register on October 7, 2026 that removes its regulations on purchaser credit in timber sale contracts on National Forest System lands. The rule takes effect November 5, 2026.

What purchaser credit was

Purchaser credit let timber buyers earn credit, mostly for building roads needed to haul timber, and apply it against what they owed for the timber. The Forest Service's rules at 36 CFR 223.42, 223.43, 223.44, 223.45 and 223.62 covered transferring credit, limits on transferred credit, road construction credit, collection protections for the agency, and definitions.

The Omnibus Consolidated and Emergency Appropriations Act of 1999 (Pub. L. 105-277; 16 U.S.C. 535a) barred purchaser credit in new timber sale contracts after April 1, 1999. The agency took the references out of its internal directives and contracts then. It kept the regulations because older contracts still carried valid credit. The Forest Service now says "all timber contracts that were subject to this authority have long since expired."

What the rule changes

- Sections 223.42–223.45 and 223.62 are removed and reserved for future use.

- Section 223.304, which governs stewardship timber sale contracts, is amended to delete references to the removed sections. It also drops a paragraph that the agency says was printed twice by mistake. The remaining paragraphs are renumbered.
- The Forest Service calls the changes "purely technical" and says they set no new standards. So it did not take public comment under the Forest and Rangeland Renewable Resources Planning Act.

Why it matters locally

For timber communities, this rule does not change how current sales are sold, priced or roaded. It does mean a reader who digs up an old contract or a pre-1999 dispute will no longer find live purchaser credit rules in the Code of Federal Regulations after November 5. Road costs on today's sales are handled under current contract terms, not the expired credit system.

Sources

1. Federal Register, Oct. 7, 2026, Doc. 2026-20512, Purchaser Credit on Timber Sale Contracts (final rule), USDA Forest Service. <https://www.federalregister.gov/d/2026-20512>
2. Contact listed in the rule: National Timber program, USDA Forest Service.

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Notes

- Author: Ryan Standley / Record of Sale, LLC / Notice Nearby.
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