

**USDA General Terms and Conditions
Deviation Request**

USDA Agency or Staff Office: Forest Service

Deviation Administrative Contact		Additional Contacts (if applicable)			
Name:	Tiffany Berliner	Name:		Name:	
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General Terms and Conditions Type (check one):

☒ Federal Financial Assistance

☐ Mutual Interest Agreement

Version Effective Date: 12/31/2025

Version Effective Date: _____

Applicable Term(s) Requesting Deviation From:

Level of Deviation Needed: ☒ award-specific ☐ program-specific ☐ agency-wide ☐ multi-agency

Deviation Request Executive Summary:

Request a deviation from USDA GTC for Federal Awards 4.1 Payments to allow the Forest Service to issue lump sum advance payments to the National Forest Foundation in accordance with H.R. 4366-246 and future legislation.

Basis for Deviation:

Since 2003, Congress authorizes lump sum advance payments to NFF. Most recently in H. R. 4366—246, Consolidated Appropriations Act, 2024, it stated, "Pursuant to sections 405(b) and 410(b) of Public Law 101– 593, of the funds available to the Forest Service, up to \$3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects . . ." <https://www.congress.gov/bill/118th-congress/house-bill/4366/text>

H.R. 4366-246 authorizes the Forest Service to advance lump sum payments to the National Forest Foundation each year, which contradicts the USDA GTC for Federal Awards 4.1 Payment requirements. Due to statutory requirements, the Forest Service requests a deviation to allow lump sum advance payments.

Deviation Details:

Due to the ongoing Congressionally authorized relationship between the Forest Service and NFF, a deviation is necessary to abide by legislation. We request a blanket deviation to allow lump sum advance payments to NFF in accordance with ongoing statutory requirements. In order to avoid resubmitting the deviation request every year and creating administrative burdens, please approve the request for future years. If future statute changes and lump sum advance payments are no longer authorized, the deviation would be revoked.

Requester Signature:	ANTON MALKOWSKI 	Digitally signed by ANTON MALKOWSKI Date: 2026.06.26 16:37:17 -04'00'
Authorized Signature:	ANDRIA WEEKS 	Digitally signed by ANDRIA WEEKS Date: 2026.07.10 14:04:22 -04'00'

OCFO Policy Decision:	APPROVED	Request Number:	2026-FS-0003
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Justification of OCFO Decision:

OCFO approves the deviation request for the Forest Service (FS) to issue lump sum advance payments to the National Forest Foundation (NFF) in accordance with statutory language typically included in the annual Interior, Environment, and Related Agencies appropriations law, in lieu of the 3-day advance payment period identified in FFA GT&C 4.1.

This deviation is applicable only to the relevant provision found in the annual Interior, Environment, and Related Agencies law (most recently, P.L. 119-74) and its associated funding (most recently, \$3,000,000). Such funding is typically advanced by the FS to NFF in a single lump-sum each fiscal year. The issuance of this deviation is necessary to ensure compliance with the identified statutory requirement. This deviation must not be applied to any other award or funding to or involving the National Forest Foundation.

This deviation is available for use by FS until OCFO notifies FS in writing of an amendment or rescission of this deviation.

OCFO Signature:	CHELSEA COLE Digitally signed by CHELSEA COLE Date: 2026.09.09 02:12:14 -04'00'
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