

DEREK KILMER
6TH DISTRICT, WASHINGTON

COMMITTEE ON ARMED SERVICES
SEAPOWERS AND PROJECTION FORCES
INTELLIGENCE, EMERGING THREATS
AND CAPABILITIES
COMMITTEE ON SCIENCE, SPACE,
AND TECHNOLOGY
SPACE
TECHNOLOGY

Congress of the United States
House of Representatives
Washington, DC 20515-4706

OFFICES:
1429 LONGWORTH OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-5916
950 PACIFIC AVENUE
SUITE 1230
TACOMA, WA 98402
(253) 272-3515
345 6TH STREET
SUITE 500
BREMERTON, WA 98337
(360) 373-9725
www.kilmer.house.gov

March 29, 2013

The Honorable Tom Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

The Honorable Jeffrey Zients
Acting Director
The Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Secretary Vilsack and Director Zients,

We write concerning the recent letters sent by Forest Service Chief Tidwell informing governors of the sequester's impact on Secure Rural Schools (SRS) payments. In January of 2013, the Forest Service distributed \$291 million to 42 states representing their Secure Rural Schools payments for Fiscal Year 2012. Despite the fact that the payment represents Fiscal Year 2012 funding, the agency is claiming that the payments are subject to mandatory cuts under sequestration. As such, the agency is asking for governors to retroactively refund \$17.5 million to ensure that the agency is in compliance with the Anti-deficiency Act.

The most recent authorization of the Secure Rural Schools payment program was extended by one year as part of the "Moving Ahead for Progress in the 21st Century Act," that was signed into law by President Obama on July 6, 2012.

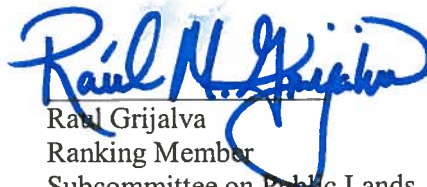
While the Administration has offered the states some flexibility in how they can repay the funds, we are deeply troubled by the legal basis for the retroactive refund request as well as the impact of this request on students in these states and counties. Many of our communities had already dedicated this funding for rural schools, emergency services, infrastructure, and wildfire mitigation. We respectfully request that you provide our offices with an explanation of the legal rationale to request these refunds from states and counties. We also request that you meet with our offices to explain how the Administration will proceed before sending any collection notices to local governments.

It is imperative that the Administration better engage impacted communities and their elected Representatives in Congress before moving ahead on this ill-advised path. Thank you, in advance, for your attention to our concerns and request.

Sincerely,



Derek Kilmer
Member of Congress



Raul Grijalva
Ranking Member
Subcommittee on Public Lands
and Environmental Regulation
House Committee on Natural Resources



Peter DeFazio
Member of Congress

Kurt Schrader
Member of Congress

Mike Thompson
Member of Congress

Y. K. Spaff
Member of Congress

Suzanne Brainer
Member of Congress

John Saccomandi
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Joel Huffman
Member of Congress

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Member of Congress

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Member of Congress

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Member of Congress

Earl Blumenauer
Member of Congress

Joel Goh
Member of Congress

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Member of Congress

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Member of Congress

Stephen F. DeBene

Member of Congress

Jim McDermott

Member of Congress