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United States Senate

COMMITTEE ON
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August 29, 2013

The Honorable Thomas Vilsack
Secretary of Agriculture
U.S. Department of Agriculture
Jamie L. Whitten Federal Building
1400 Independence Avenue S.W.
Washington D.C. 20250

Dear Secretary Vilsack:

I am once again compelled to raise serious concerns over how your Department continues to handle the sequestration of payments made under the Secure Rural Schools and Communities Self-Determination Act (SRS). I am astounded by the lack of Agency clarity, the apparently arbitrary decision to disproportionately target Oregon's SRS funds, and the aggressive agency approach that has characterized this ordeal. I can only conclude that USDA and the Forest Service are continuing their campaign against cash-strapped rural counties.

Purposely or haphazardly, the Forest Service has bungled its efforts to demand repayment of funds already paid to rural counties. In January of this year, the Forest Service distributed the full amount of SRS payments to more than 700 rural and forested counties across the United States. These payments are a critical lifeline for hard-hit rural communities trying to keep schools open, repair roads, and provide for public safety. The Forest Service's approach to seeking repayment of Fiscal Year 2012 funds has been nothing less than disturbing. Instead of an orderly and open process that provided clear responses and explanations to states that would have allowed counties to make difficult budgetary decisions in a straightforward manner, the Forest Service issued threats of fines and penalties and generally sowed confusion and distrust among the counties.

My latest cause for concern comes from the recent letters the Forest Service sent to states with SRS counties. An August 19 letter to Oregon Governor John Kitzhaber included a drastically different demand of the state than what was first asserted in the Agency's March 19 letter to the Governor. Without an explanation, the repayment amount for Title II funds increased by over \$400,000. And other states have also received higher bills from the Agency, for example, the total for Alaska jumped by about \$100,000. It is now almost six months since sequestration took effect, and SRS states and counties are still dealing with the aftermath, aggravated by the mishandling of disbursements by the Agency. Apparently, in deciding how to seek additional repayments, the Forest Service arbitrarily increased the burden on some states – specifically

those with more Resource Advisory Committee (RAC) funds. This has resulted in Oregon bearing the lion's share of the additional costs. All this coming at a time when Oregon's counties are among those hardest hit by the decline in payments – in many places having to cut basic county services and eliminating sheriff's patrol, 911 services and roads work.

The Forest Service's efforts to seek repayment have gone badly off course, and I request your assistance in righting the course. On behalf of the SRS counties and those especially in Oregon, I demand a clear accounting of why various states' bills have gone up from the March Forest Service letters. I also want to know why Oregon is bearing a disproportionate amount of the new cost. Lastly, I request that the additional funds that the Forest Service began seeking in August—if they are legitimate—be shared equally across the counties at a flat rate—as sequestration intended.

While I am frustrated with this situation, I am committed to working with you and the Forest Service to address the situation facing these counties. Thank you in advance for addressing these concerns, and I look forward to your response.

Sincerely,



Ron Wyden
Chairman
Energy and Natural Resources Committee