



Committee on Natural Resources U.S. House of Representatives

Chairman Doc Hastings

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Obama Administration Fails to Comply with Subpoenas for Documents on Retroactive Cuts to Secure Rural School Funds *Chairman Hastings Announces Intent to Invite Officials to Oversight Hearing*

WASHINGTON, D.C. – House Natural Resources Committee Chairman Doc Hastings (WA-04) today sent letters to Secretary of Agriculture Tom Vilsack and Office of Management and Budget Director Sylvia Mathews Burwell regarding [subpoenas](#) issued in September for documents relating to the Obama Administration's decision to retroactively subject 2012 Secure Rural School (SRS) payments to the fiscal year 2013 sequester. The U.S. Department of Agriculture (USDA) and Office of Management and Budget (OMB) have failed to fully comply with the subpoenas and produce all of the requested documents by the September 18, 2013 deadline.

The letters also note the intent to formally invite both Secretary Vilsack and Director Burwell to appear at an oversight hearing, planned for November 20th, to discuss the responses to the subpoenas and the circumstances surrounding the SRS sequester decision.

[Click here](#) for the letter to Secretary Vilsack

[Click here](#) for the letter to Director Mathews Burwell

"It is unacceptable that the Obama Administration has failed to fully comply with the subpoenas. The Obama Administration's decision to retroactively sequester SRS funding raises very serious questions that have yet to be answered, including how and why this action was taken. Given the Administration's refusal to turn over all of the requested documents, these officials should be prepared to appear before the Committee to explain in person why they have failed to abide by Congressional subpoenas and what they are keeping from the public," said Chairman Hastings. "These rural communities already face neglect from mismanagement of our federal forests, increased risk of catastrophic wildfire, depressed economies and economic uncertainty and this deliberate action by the Administration is yet another example of President Obama's painful as possible approach to the sequester."

After the September 18th subpoena deadline passed, the USDA produced only 808 pages of email communications and other documents, about 600 pages are copies of form letters. The OMB produces approximately 160 pages, consisting mostly of email communications between OMB and USDA and the Forest Service in January and February 2013. No

additional documents have been provided in response to the subpoenas.

The documents produced by the USDA and OMB raise significant questions about the rationale and legal authority behind the Obama Administration's decision to sequester SRS money paid to states in January 2013. For example, internal emails show that the Forest Service notified OMB in February that, based on advice from the Office of General Counsel, money already paid to the states would not be subject to the sequester.

Background

On March 19, 2013 the Obama Administration announced it was requesting repayment of \$17.9 million in SRS payments that had already been disbursed to states. This sparked bipartisan opposition from [Governors](#) and also Members of Congress, who sent a [letter](#) questioning why the Administration was subjecting SRS payments that were made to counties in January based on fiscal year 2012 revenues, to the fiscal year 2013 sequester.

On May 20, 2013, Chairman Hastings sent oversight letters to the [USDA](#) and [OMB](#) requesting documents and information on how this decision was reached and the legal authority. After receiving no response by the Committee's June 3rd deadline, initial follow up [letters](#) were sent to the USDA and OMB on July 18. Second follow up [letters](#) providing a final opportunity to comply voluntarily with the Committee's document requests were sent on July 31. The same day, at a Full Committee [markup](#), Chairman Hastings stated his plans to issue subpoenas if the Administration failed to respond in a timely manner. On September 4, 2013 Chairman Hastings issued [subpoenas](#) to the U.S. Department of Agriculture and the Office of Management and Budget for documents.

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