

JAY INSLEE
Governor



STATE OF WASHINGTON

OFFICE OF THE GOVERNOR

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April 19, 2013

The Honorable Thomas L. Tidwell
Chief, Forest Service
United States Department of Agriculture
1400 Independence Avenue SW
Washington, DC 20250

Dear Chief Tidwell:

In response to a letter I received on March 19, 2013, pertaining to Secure Rural Schools payments having been previously received by and allocated to the State, I wish to inform you that the state of Washington will decline to accept a reduction in the allocation of Title II funds, or to repay previously received Title I and Title III funding, unless and until the state can be convinced of the United States Forest Service's (USFS) legal authority to reclaim these funds.

As you know, the Secure Rural Schools and Community Self-Determination Act provides essential financial support for education, infrastructure, and emergency services in communities in my state and in states around the country. It is extremely unfortunate that the March 2013 federal budget "sequestration" was forced into effect because of the obstinacy of some in Congress who are opposed to a balanced plan for deficit reduction. Sequestration has taken and will continue to take a toll on many important federal programs and activities and has led to layoffs and furloughs in my state.

Under the 2011 Budget Control Act that triggered sequestration, certain percentages of spending reductions have been required to the majority of discretionary and mandatory federal programs, projects, and activities for the remaining months of federal fiscal year 2013. However, this legislation does not contain language authorizing the retroactive application of the spending reductions or limitations. Nor does it contain language requiring reimbursement of funds that were already distributed in order to satisfy these spending limitations. As such, previously received and allocated Secure Rural Schools funds should not be subject to sequestration.

I understand that an explication of the specific authorities USFS is using to reclaim these funds has been requested in at least two different letters sent by members of Congress to the United States Department of Agriculture (USDA) and the Office of Management and Budget (OMB). Further, I understand that this information has also been requested by the National Governors Association (NGA). It is my understanding that none of these parties have received a formal response to their requests, to date.



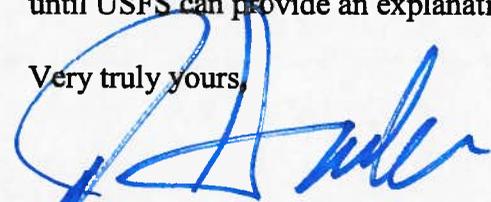
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Therefore, the state of Washington will decline to accept a reduction to its Secure Rural Schools Title II fund allocation, or to repay previously received Title I and Title III funds, unless and until USFS can provide an explanation of its legal authority supporting this proposed action.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Jay Inslee", is written over the closing "Very truly yours,".

Jay Inslee
Governor