



NATIONAL CONFERENCE *of* STATE LEGISLATURES

The Forum for America's Ideas

February 27, 2014

The Honorable John Boehner
Speaker of the House
U.S. House of Representatives
1011 Longworth House Office
Building
Washington, D.C. 20515

The Honorable Nancy Pelosi
Minority Leader
U.S. House of Representatives
235 Cannon House Office
Building
Washington, D.C. 20515

Bruce W. Starr
*Senator
Oregon
President, NCSL*

Thomas W. Wright
*Chief of Staff to Speaker
Alaska
Staff Chair, NCSL*

William T. Pound
Executive Director

RE: The Unfunded Mandates Information and Transparency Act (H.R. 899)

Dear Speaker Boehner and Minority Leader Pelosi:

We write on the behalf of the National Conference of State Legislatures (NCSL) to express our support for provisions in the Unfunded Mandates Information and Transparency Act (H.R. 899). NCSL applauds the effort of the House of Representatives to strengthen the analysis and oversight of federal intergovernmental mandates on state and local governments.

While NCSL still supports the Unfunded Mandates Reform Act of 1995 (UMRA; P.L. 104-4), we also recognize its limitations. UMRA has been unable to fulfill its objective of promoting transparency and government responsibility on mandates imposed on state and local governments. Designed to raise a red flag, instead UMRA has often times allowed cost shifts from the federal government to states without being considered an unfunded mandate.

However, many of the shortcomings of UMRA would be corrected by H.R. 899, as it would allow the Congressional Budget Office to provide a more accurate analyses of the intergovernmental ramifications of pending legislation. In particular, expanding the scope of reporting requirements to include new conditions of grant aid is essential. NCSL's members repeatedly point to this exclusion in the underlying statute as one of the law's major flaws. NCSL is also pleased that H.R. 899 would require identification and description of reasonably foreseeable indirect costs, would expand UMRA's reporting requirements to independent regulatory agencies and would allow for congressional requests for regulatory "look-back" analyses of existing federal mandates.

The growth of mandates the federal government imposes on states is one of the most serious fiscal issues confronting state legislatures. NCSL fears this issue may be exacerbated by ongoing efforts to rein in federal deficits and manage the nation's long-term debt, as we have already seen reductions in funding for state-federal grants and programs through sequestration and caps on discretionary spending. While NCSL understands the importance of putting the nation on a sustainable fiscal path, this should be achieved with an accurate representation of the cost on state governments. H.R. 899 is a vital piece to ensure the federal government does not put an

unreasonably burden on state governments through additional unfunded mandates and cost shifts. For more information, please contact Sheri Steisel (202-624-8693; sheri.steisel@ncsl.org) or Jeff Hurley (202-624-7753; jeff.hurley@ncsl.org).

Sincerely,

Handwritten signature of Bruce Starr in black ink.

Senator Bruce Starr
Oregon Senate
President, NCSL

Handwritten signature of Debbie Smith in black ink.

Senator Debbie Smith
Nevada Senate
President-Elect, NCSL

Cc: Members of the House of Representatives