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Cama, T. (2016, March 24). Michigan task force blames state government for Flint water crisis. *The Hill*, 23(30), 13.

policy roundup

REGULATION

Republicans take on Veterans Affairs gun ban

• The Obama administration is facing congressional scrutiny for blocking more than a quarter-million military veterans from owning guns.

The Department of Veterans Affairs (VA) has reported more than 257,000 former members of the military who cannot manage their finances to the FBI's list of people not allowed to own guns, Republicans claim, even though "it has nothing to do with regulating firearms."

"The National Instant Criminal Background Check System (NICS) is effectively a national gun ban list and placement on the list precludes the ownership and possession of firearms," Senate Veterans' Affairs Committee Chairman Johnny Isakson (R-Ga.) and Sen. Chuck Grassley (R-Iowa) wrote in a recent letter to VA Secretary Robert McDonald.

The VA is responsible for appointing a fiduciary to help veterans who it determines cannot manage their own finances, but the agency is also taking the additional step of reporting these veterans to the "mental defective" category of the FBI's background check system, even if they do not pose a danger to so-



GETTY IMAGES
Republicans say the Department of Veterans Affairs is preventing some veterans from purchasing guns.

ciety, the senators alleged.

The senators called the practice "highly suspect" and said veterans' ability to manage their own finances is "totally unrelated" to whether they should be allowed to own a gun.

In another letter to Senate appropriators, Grassley asked lawmakers to block the VA from continuing this practice.

— Tim Devaney

HEALTHCARE

ObamaCare site logs 316 cyber incidents

• The Web portal used by millions to purchase health insurance under the Affordable Care Act logged 316 cybersecurity incidents during an 18-month period, a Government Accountability Office (GAO) report revealed on Wednesday.

None of the 316 attempts compromised sensitive information, such as the personal data of those shopping for health plans on the site, according to the report. Most of the incidents involved electronic probing of the site's systems by potential attackers looking for weaknesses.

But the watchdog did find a number of flaws in how the Centers for Medicare and Medicaid Services (CMS), which administers Healthcare.gov, protects a key data hub, which sends users' personal data to other federal agencies to verify information.

CMS has also failed to adequately monitor security controls at state-based insurance marketplaces, according to the watchdog.

In a previous report, the GAO found three states with "significant weaknesses," including insufficient encryption and inadequately configured firewalls. The exchange site has been under fire from regulators since its disastrous rollout in 2013.

GAO also issued a second less-public report, offering 27 recommendations to secure the data hub.

— Katie Bo Williams

FINANCE

GOP presses IRS on improper payments

• Republicans on the House Ways and Means Committee are asking the Internal Revenue Service (IRS) about its use of a tool that could help lower the rate of improper payments of the earned income tax credit (EITC).

The lawmakers said in a letter to IRS Commissioner John Koskinen on Wednesday that it is their understanding that the "Do Not Pay" portal "is not being fully utilized by the IRS."

The portal, housed at the Treasury Department, provides federal agencies with access to databases containing information such as employment data. The agencies can use this data to determine whether payments should be made to beneficiaries.

The EITC benefits low- and middle-income families. According to data cited in the letter, the EITC's improper payment rate was more than 27 percent in 2014, and about 30 percent of the improper payments were due to income verification errors.

The IRS makes EITC payments based on applicants' self-reported income and does not confirm income levels until after the payments are made — a process that the lawmakers said is "not working."

Republicans asked the IRS to confirm its current use of the "Do Not Pay" portal and to provide information about the steps it is taking to reduce the EITC improper-payment rate.

— Naomi Jagoda

REG WATCH

Greens fight Gulf drilling lease auction

• A group of environmentalists is protesting the federal government's Wednesday auction of offshore oil and gas drilling leases in New Orleans.

The Bureau of Ocean Energy Management is auctioning off up to 45 million acres in the Gulf of Mexico for oil and gas exploration and development. But greens want the lease sale canceled, saying it's out of line with the climate policies pursued by the Obama administration.

Activists organized a rally outside the Mercedes-Benz Superdome in New Orleans to protest the sales. They want the lease sale called off, a moratorium on future leases and a commitment that the energy industry will create at least 1,000 jobs to fix aging energy infrastructure.

"While the fossil fuel industry seeks to continue its unchecked expansion, the people of the Gulf and allies across the country are standing up to send a simple message: the Gulf is NOT an energy sacrifice zone and deserves protection for present and future generations to experience and enjoy," the green groups wrote in a letter to President Obama.

The bureau's auction is for leases in the central and eastern portions of the Gulf. The

agency said it has received 148 bids on 128 blocks up for auction so far, The Associated Press reports.

Industry groups have defended the lease sale.

The National Ocean Industries Association told the AP it is "vitaly important" for jobs and energy development in the region.

FEDERAL COMMUNICATIONS COMMISSION

Strong pressure from Democrats has not persuaded the FCC to take up a controversial proposal that would require some political TV ads to name the major individual donors behind them.

In a letter, FCC Chairman Tom Wheeler said he understood that 168 House Democrats think he "should go farther" but gave no indication he is willing to do so during an election year.

"The fact that 170 members of Congress is a significant statement, the significance of which is not lost on me," Wheeler wrote in response to a letter signed by all but 20 Democrats in the House.

The letter was sent earlier this month but made public Tuesday night.

Wheeler has said much of the same for the past year.

Rep. John Yarmuth (D-Ky.), who sponsors legislation on the issue, said he "certainly expected more than this," referring to the letter as little more than a thank you note.

FCC rules currently require super-PACs and other outside groups to include a sponsor-

ship announcement at the beginning or end of a television ad that reveals the group that is funding it. But Democrats want the names of significant donors included on the screen.

EDUCATION DEPARTMENT

The Obama administration is proposing new desegregation rules.

The new rules would affect the application process at equity assistance centers, formerly known as desegregation assistance centers. The changes update the selection criteria for schools to participate in the program. The public has 30 days to comment.

SECURITIES AND EXCHANGE COMMISSION

Financial regulators are proposing new rules for traders. The SEC's new rules would affect automated quotations in the trading process. The public has 21 days to comment.

ENERGY DEPARTMENT

The administration is proposing new efficiency rules for boilers.

The Energy Department's Office of Energy Efficiency and Renewable Energy proposed new energy conservation standards for commercial packaged boilers. The efficiency rules could cost manufacturers more than \$27 million in conversion costs, according to the agency. The public has 60 days to comment.

Tim Devaney, Devin Henry and Mario Trujillo

ENVIRONMENT

Michigan task force blames state government for Flint water crisis

• A task force appointed by Michigan's governor found that the state's government is "fundamentally accountable" for Flint's drinking water crisis.

In a comprehensive report released Wednesday, the task force primarily blamed the state's emergency manager law that gave state-appointed managers wide-ranging authority over Flint's affairs.

But it also blamed the state's environmental and health agencies for not providing better information about the lead content of Flint's water, the health impacts to city residents and other important data.

"The Flint water crisis is a story of government failure, intransigence, unpreparedness, delay, inaction and environmental injustice," Chris Kolb, co-chairman of the task force, told reporters, according to Michigan Radio.

"Emergency managers made key decisions that contributed to the crisis, from the use of the Flint River to delays in reconnecting to [the Detroit Water and Sewerage Department]



once water quality problems were encountered," the report said.

"Given the demographics of Flint, the implications for environmental injustice cannot be ignored or dismissed."

Various people involved in and affected by the crisis, in which lead and other pollutants got into Flint's water, have assigned different amounts of blame to Gov. Rick Snyder (R), other state officials, emergency managers, local Flint leaders and the federal Environmental Protection Agency for the crisis. But the task force laid blame firmly on the state.

Snyder said his agencies are

already working to fix the problems.

"Many of the recommendations made in this report are already being implemented, both within my own office and in various state departments," he said in a statement.

Rep. Dan Kildee (D), who represents Flint in the House, said the report reinforces what many in Flint already knew.

"Accountability is important to ensuring that a similar crisis never happens again. But the state of Michigan, who created this crisis, must step up and do more to help Flint recover," he said in a statement.

— Timothy Cama

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