

MARKUP OF H. RES. 115, THE OMNIBUS COMMITTEE FUNDING RESOLUTION; COMMITTEE RESOLUTION FOR FRANKED MAIL ALLOWANCES FOR CERTAIN COMMITTEES; AND DISPOSITION OF ELECTION CONTEST IN THE 28TH DISTRICT OF TEXAS

MEETING

BEFORE THE

COMMITTEE ON HOUSE
ADMINISTRATION
HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRTEENTH CONGRESS

FIRST SESSION

—
Held in Washington, DC, March 14, 2013
—

Printed for the use of the Committee on House Administration



Available on the Internet

www.fdsys.gov

—
U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 2013

80-287

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2104 Mail: Stop IDCC, Washington, DC 20402-0001

COMMITTEE ON HOUSE ADMINISTRATION

CANDICE S. MILLER, Michigan, *Chairman*

GREGG HARPER, Mississippi

PHIL GINGREY, M.D., Georgia

AARON SCHOCK, Illinois

TODD ROKITA, Indiana

RICHARD B. NUGENT, Florida

ROBERT A. BRADY, Pennsylvania

Ranking Minority Member

ZOE LOFGREN, California

JUAN VARGAS, California

PROFESSIONAL STAFF

KELLY CRAVEN, *Staff Director*

JAMIE FLEET, *Minority Staff Director*

MARKUP OF H. RES. 115 THE OMNIBUS COMMITTEE FUNDING RESOLUTION, COMMITTEE RESOLUTION FOR FRANKED MAIL ALLOWANCES FOR CERTAIN COMMITTEES, AND DISPOSITION OF ELECTION CONTEST IN THE 28TH DISTRICT OF TEXAS

THURSDAY, MARCH 14, 2013

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC.

The committee met, pursuant to call, at 3:07 p.m., in room 1310, Longworth House Office Building, Hon. Candice S. Miller (chairman of the committee) presiding.

Present: Representatives Miller, Harper, Gingrey, Schock, Rokita, Nugent, Brady, and Lofgren.

Staff Present: Kelly Craven, Staff Director; Phil Kiko, General Counsel; Peter Schalestock, Deputy General Counsel; Kimani Little, Parliamentarian; Joe Wallace, Legislative Clerk; Yael Barash, Assistant Legislative Clerk; Salley Wood, Communications Director; Bob Sensenbrenner, Elections Counsel; Jamie Fleet, Minority Staff Director; Teri Morgan, Minority Deputy Staff Director; Matt Pinkus, Minority Senior Policy Analyst; Thomas Hicks, Minority Elections Counsel; Mike Harrison, Minority Professional Staff Member; Greg Abbott, Minority Professional Staff Member; and Eddie Flaherty, Minority Professional Staff Member.

The CHAIRMAN. I would like to call to order the Committee on House Administration for today's committee markup.

The meeting record will remain open for 5 legislative days so that Members might submit any materials they wish to be included.

The CHAIRMAN. And a quorum is present, so we will proceed.

Today we have three items before the committee: first of all, House Resolution 115, which is the omnibus committee funding resolution, which will authorize committee budgets for the 113th Congress. We also have a committee resolution to approve franked mail allowances for committees for the 113th Congress and an original resolution relating to an election contest that happened in the 28th Congressional District of Texas.

Every Congress, this committee holds hearings to examine the budgetary needs of House committees to help ensure that they have adequate resources. This funding process, perhaps one of our most important responsibilities of this committee, can significantly

impact the legislative process, as committees bear the lion's share of Congress' workload.

Last week, we had 2 informative days of hearings where we heard from all of the chairs and the ranking members of the 19 House committees that came before us. And we certainly heard some very compelling and thoughtful testimony from each of the chairmen and the ranking members about their respective budgets and their commitment to uphold the equitable two-thirds/one-third allocation between the majority and the minority offices. And, most importantly, they talked about how they were going to do more with less, which is a very—certainly a topic that we are all very, very familiar with.

Leading by example, the House cut committee budgets by approximately 11 percent in the last Congress—the largest cut to committee funding since the 104th Congress. And today we are faced with yet another cut, this time obviously triggered by the sequester, sequestration.

After much deliberation and consultation with each committee, we had to make some very difficult, difficult choices. And, of course, like all of our MRAs, the committee funding authorizations have to be adjusted to reflect the reduced spending levels detailed in the sequestration order.

To match the post-sequestration funding level, the total authorization for House committees must be reduced by 11 percent from the 2012 level. Therefore, with few exceptions, each committee authorization has been reduced by 11 percent, or within a percentage point or so of 11 percent. And we base this on their anticipated workload for the 113th Congress.

The Budget Committee, the Committee on Ways and Means, and the Select Committee on Intelligence have been given slightly smaller reductions. Most committees will be faced with tremendous oversight responsibilities in 2013. However, given the current state of our economy, sequestration, the dire need for tax and entitlement reform, and the increased cyber threats to our digital infrastructure, these three committees have a particularly daunting agenda and therefore require some reprieve from the authorized reductions. To accommodate for these exceptions, we have adjusted the authorization of the Budget Committee based on their ability to absorb a slightly larger reduction in 2013.

Again, we certainly, all of us, every one of us, understand the challenges of trying to stretch our resources. And we just have to try to absorb these cuts as best as we can. And I know that every committee, including this, will continue to function at a very high level, even with reduced resources.

Our second item for consideration is a committee resolution to approve franked mail allowances for the committees for the 113th. This resolution limits \$5,000 per year for each committee's franked mail.

And our third and last item on the agenda is an original resolution to dismiss the election contest in the 28th district of Texas.

And, with that, I would now recognize our ranking member, Mr. Brady, for his opening statement.

Mr. BRADY. Thank you, Madam Chairman. And thank you for convening this markup and for working with us on all the scheduling issues last week with regards to our marathon hearings.

I do urge this committee to oppose this resolution. We imposed the equivalent of a sequester on all House committees in 2011–2012, so we are already well ahead of the curve. Those cuts, as we heard in detail from chairs and ranking members last week, have already created significant hardships in paying the salaries of staff, conducting oversight travel, and holding hearings. These are not luxuries we can simply wish away. We will have to continue to be able to conduct the people’s business.

To pile on further with automatic sequestration cuts devoid of any rational basis and to furlough our staff would cause damage to the legislative process and to the people who make it possible for us to operate. It is cutting off our nose to spite our face.

We should look for all opportunities to alleviate the impacts of the cuts. That is why I will later offer a substitute amendment to freeze funding at the level of the 2012 resolution to manage our House finances in a more sensible manner. I urge my colleagues to oppose this resolution.

Thank you, Madam Chair.

The CHAIRMAN. I thank the gentleman for his opening statement.

And I would ask if any other members of the committee have an opening statement?

The chair recognizes Mr. Gingrey.

Mr. GINGREY. Well, Madam Chairman, I want to thank you for calling the markup today on committee funding for the 113th Congress.

As you know, with the implementation of the sequester on March the 1st, across-the-board spending cuts did take effect. Last week, this committee had a chance to hear from our colleagues, the chairmen and ranking members of each House committee, about how they would handle the impact of the sequester.

I believe that this committee is acting in a deliberative and a fair manner when determining committee budgets for this 113th Congress. Each committee serves an important function, and while all will have to continue to produce good work with less, I am confident that they will succeed in doing that.

Today’s markup gives us an important chance to show that, as families across the country struggle to make ends meet, this committee and the House as a whole plan to lead by example.

So thank you, Madam Chairman. And I yield back.

The CHAIRMAN. I thank the gentleman.

The CHAIRMAN. The first item on the agenda is consideration of the House Resolution 115, the omnibus committee funding resolution for the 113th Congress.

[The information follows:]

113TH CONGRESS
1ST SESSION

H. RES. 115

Providing for the expenses of certain committees of the House of Representatives in the One Hundred Thirteenth Congress.

IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2013

Mrs. MILLER of Michigan submitted the following resolution; which was referred to the Committee on House Administration

RESOLUTION

Providing for the expenses of certain committees of the House of Representatives in the One Hundred Thirteenth Congress.

1 *Resolved,*

2 **SECTION 1. COMMITTEE EXPENSES FOR THE ONE HUN-**
3 **DRED THIRTEENTH CONGRESS.**

4 (a) IN GENERAL.—With respect to the One Hundred
5 Thirteenth Congress, there shall be paid out of the appli-
6 cable accounts of the House of Representatives, in accord-
7 ance with this primary expense resolution, not more than
8 the amount specified in subsection (b) for the expenses
9 (including the expenses of all staff salaries) of each com-
10 mittee named in such subsection.

1 (b) COMMITTEES AND AMOUNTS.—The committees
2 and amounts referred to in subsection (a) are: Committee
3 on Agriculture, \$10,072,374; Committee on Armed Serv-
4 ices, \$13,127,070; Committee on the Budget,
5 \$10,277,648; Committee on Education and the Workforce,
6 \$13,905,526; Committee on Energy and Commerce,
7 \$19,041,032; Committee on Ethics, \$6,040,918; Com-
8 mittee on Financial Services, \$14,788,964; Committee on
9 Foreign Affairs, \$14,776,224; Committee on Homeland
10 Security, \$14,067,176; Committee on House Administra-
11 tion, \$9,201,120; Permanent Select Committee on Intel-
12 ligence, \$8,779,516; Committee on the Judiciary,
13 \$14,154,032; Committee on Natural Resources,
14 \$13,111,658; Committee on Oversight and Government
15 Reform, \$17,880,874; Committee on Rules, \$5,714,816;
16 Committee on Science, Space, and Technology,
17 \$10,565,510; Committee on Small Business, \$5,985,376;
18 Committee on Transportation and Infrastructure,
19 \$16,364,614; Committee on Veterans' Affairs,
20 \$6,097,092; and Committee on Ways and Means,
21 \$16,846,822.

22 **SEC. 2. FIRST SESSION LIMITATIONS.**

23 (a) IN GENERAL.—Of the amount provided for in
24 section 1 for each committee named in subsection (b), not
25 more than the amount specified in such subsection shall

1 be available for expenses incurred during the period begin-
2 ning at noon on January 3, 2013, and ending immediately
3 before noon on January 3, 2014.

4 (b) COMMITTEES AND AMOUNTS.—The committees
5 and amounts referred to in subsection (a) are: Committee
6 on Agriculture, \$5,036,187; Committee on Armed Serv-
7 ices, \$6,563,535; Committee on the Budget, \$5,138,824;
8 Committee on Education and the Workforce, \$6,952,763;
9 Committee on Energy and Commerce, \$9,520,516; Com-
10 mittee on Ethics, \$3,020,459; Committee on Financial
11 Services, \$7,394,482; Committee on Foreign Affairs,
12 \$7,388,112; Committee on Homeland Security,
13 \$7,033,588; Committee on House Administration,
14 \$4,600,560; Permanent Select Committee on Intelligence,
15 \$4,389,758; Committee on the Judiciary, \$7,077,016;
16 Committee on Natural Resources, \$6,555,829; Committee
17 on Oversight and Government Reform, \$8,940,437; Com-
18 mittee on Rules, \$2,857,408; Committee on Science,
19 Space, and Technology, \$5,282,755; Committee on Small
20 Business, \$2,992,688; Committee on Transportation and
21 Infrastructure, \$8,182,307; Committee on Veterans' Af-
22 fairs, \$3,048,546; and Committee on Ways and Means,
23 \$8,423,411.

1 **SEC. 3. SECOND SESSION LIMITATIONS.**

2 (a) **IN GENERAL.**—Of the amount provided for in
3 section 1 for each committee named in subsection (b), not
4 more than the amount specified in such subsection shall
5 be available for expenses incurred during the period begin-
6 ning at noon on January 3, 2014, and ending immediately
7 before noon on January 3, 2015.

8 (b) **COMMITTEES AND AMOUNTS.**—The committees
9 and amounts referred to in subsection (a) are: Committee
10 on Agriculture, \$5,036,187; Committee on Armed Serv-
11 ices, \$6,563,535; Committee on the Budget, \$5,138,824;
12 Committee on Education and the Workforce, \$6,952,763;
13 Committee on Energy and Commerce, \$9,520,516; Com-
14 mittee on Ethics, \$3,020,459; Committee on Financial
15 Services, \$7,394,482; Committee on Foreign Affairs,
16 \$7,388,112; Committee on Homeland Security,
17 \$7,033,588; Committee on House Administration,
18 \$4,600,560; Permanent Select Committee on Intelligence,
19 \$4,389,758; Committee on the Judiciary, \$7,077,016;
20 Committee on Natural Resources, \$6,555,829; Committee
21 on Oversight and Government Reform, \$8,940,437; Com-
22 mittee on Rules, \$2,857,408; Committee on Science,
23 Space, and Technology, \$5,282,755; Committee on Small
24 Business, \$2,992,688; Committee on Transportation and
25 Infrastructure, \$8,182,307; Committee on Veterans' Af-

1 fairs, \$3,048,546; and Committee on Ways and Means,
2 \$8,423,411.

3 (c) REVIEW OF USE OF FUNDS IN FIRST SESSION.—

4 (1) REVIEW.—None of the amounts provided
5 for in section 1 for a committee named in subsection
6 (b) may be available for expenses of the committee
7 after March 15, 2014, unless the chair or ranking
8 minority member of the committee appears and pre-
9 sents testimony at a hearing of the Committee on
10 House Administration held prior to such date to re-
11 view the committee's use of the amounts provided
12 for in section 1 during the first session of the One
13 Hundred Thirteenth Congress and to determine
14 whether the amount specified in subsection (b) with
15 respect to the committee should be updated on the
16 basis of the review.

17 (2) WAIVER.—The Committee on House Ad-
18 ministration may waive the application of paragraph
19 (1) to any or all of the committees named in sub-
20 section (b).

21 **SEC. 4. VOUCHERS.**

22 Payments under this resolution shall be made on
23 vouchers authorized by the committee involved, signed by
24 the chairman of such committee, and approved in the

1 manner directed by the Committee on House Administra-
2 tion.

3 **SEC. 5. REGULATIONS.**

4 Amounts made available under this resolution shall
5 be expended in accordance with regulations prescribed by
6 the Committee on House Administration.

7 **SEC. 6. RESERVE FUND FOR UNANTICIPATED EXPENSES.**

8 (a) ESTABLISHMENT.—There is hereby established a
9 reserve fund for unanticipated expenses of committees for
10 the One Hundred Thirteenth Congress.

11 (b) BALANCE.—The balance of the reserve fund
12 under this section shall be equal to the sum of the fol-
13 lowing:

14 (1) The amount by which the amount made
15 available for “House of Representatives—Committee
16 Employees, Standing Committees, Special and Se-
17 lect” for fiscal year 2013 exceeds the amount that
18 would be made available for “House of Representa-
19 tives—Committee Employees, Standing Committees,
20 Special and Select” by division C of the Department
21 of Defense, Military Construction and Veterans Af-
22 fairs, and Full-Year Continuing Appropriations Act,
23 2013 (H.R. 933, as passed by the House of Rep-
24 resentatives on March 6, 2013), as reduced pursuant
25 to the provisions of division D of such Act.

1 (2) The amount by which the amount made
2 available for “House of Representatives—Committee
3 Employees, Standing Committees, Special and Se-
4 lect” for fiscal year 2014 exceeds the amount made
5 available for “House of Representatives—Committee
6 Employees, Standing Committees, Special and Se-
7 lect” for fiscal year 2013.

8 (c) ALLOCATION TO COMMITTEES.—Amounts in the
9 reserve fund under this section shall be paid to a com-
10 mittee pursuant to an allocation approved by the Com-
11 mittee on House Administration.

12 **SEC. 7. ADJUSTMENT AUTHORITY.**

13 The Committee on House Administration shall have
14 authority to make adjustments in amounts under section
15 1, if necessary to comply with an order of the President
16 issued under section 251A or 254 of the Balanced Budget
17 and Emergency Deficit Control Act of 1985 or to conform
18 to any change in appropriations for the purposes of such
19 section 1.

The CHAIRMAN. Again, as I said in my opening statement, we have talked to every chairman, every ranking member. We recognize the cuts are difficult, but it is flat-lined in the CR and there simply is a finite pot of money to go around. And I would hope that the committee would support the resolution.

I would recognize the ranking member, Mr. Brady, if he has any comment.

Mr. BRADY. Yes, Madam Chair. If it is appropriate, I would like offer an amendment in the nature of a substitute.

The CHAIRMAN. Yes.

Mr. BRADY. Thank you.

My amendment is very simple. I propose we freeze each committee's authorization for this year and next year at last year's level. Under my approach, House committees' funding will have been the same for 3 years, unchanged since we last reduced funding at the beginning of 2012. I don't believe there is a Member of this House who couldn't defend a 3-year freeze on continuing funding.

As the former chairman of this committee, it appeals to me because it offers every committee chairman and ranking minority member certainty. Every committee knows it can work with this figure and accomplish what it needs to accomplish to fulfill its responsibility to the House of the American people because it has already done so.

Second, it makes sense. During our hearings, the chairman of the Oversight and Government Reform Committee, Mr. Issa, took great pride in ascertaining that, through the work of his committee, he has saved the government 1,000 times what the committee had spent last year. This is a handsome return on the investment. I am certain that other committees could legitimately make the same boast, and, that being the case, why should we not invest this year or next in any committee that we invested in last year?

Third, it bears pointing out that no committee is required to spend every dollar it is authorized to spend. In fact, several committees, including this one, last year returned hundreds of thousands of dollars to the Treasury after judging they had accomplished their work, and no doubt would do it again this year and next. No chairman and ranking member is required to spend everything authorized. But my approach gives effective chairmen resources to earn the kind of return that Mr. Issa boasts of.

My amendment would do one other thing along these lines; it would require each committee at the end of this year to report back on how much the agency it oversees has saved. This will give each chairman and ranking minority member the opportunity to demonstrate how much they helped to save.

I urge the support of my amendment and yield back the balance of my time.

The CHAIRMAN. I thank the gentleman for that.

I should have called up the resolution and said that the first reading of the resolution is dispensed with and the resolution is considered read and open for amendment, at which time you amended it, and I certainly appreciate that. And I appreciate the amendment, which will be considered as read.

[The information follows:]

AMENDMENT TO H. RES. 115
OFFERED BY Mr. Brady

Strike all after the resolving clause and insert the following:

1 **SECTION 1. COMMITTEE EXPENSES FOR THE ONE HUN-**
2 **DRED THIRTEENTH CONGRESS.**

3 (a) **IN GENERAL.**—With respect to the One Hundred
4 Thirteenth Congress, there shall be paid out of the appli-
5 cable accounts of the House of Representatives, in accord-
6 ance with this primary expense resolution, not more than
7 the amount specified in subsection (b) for the expenses
8 (including the expenses of all staff salaries) of each com-
9 mittee named in such subsection.

10 (b) **COMMITTEES AND AMOUNTS.**—The committees
11 and amounts referred to in subsection (a) are: Committee
12 on Agriculture, \$11,317,276; Committee on Armed Serv-
13 ices, \$14,749,518; Committee on the Budget,
14 \$11,294,122; Committee on Education and the Workforce,
15 \$15,624,188; Committee on Energy and Commerce,
16 \$21,394,418; Committee on Ethics, \$6,787,550; Com-
17 mittee on Financial Services, \$16,769,410; Committee on
18 Foreign Affairs, \$16,759,024; Committee on Homeland
19 Security, \$15,806,652; Committee on House Administra-

1 tion, \$10,338,338; Permanent Select Committee on Intel-
2 ligence, \$9,647,820; Committee on the Judiciary,
3 \$15,727,432; Committee on Natural Resources,
4 \$14,732,202; Committee on Oversight and Government
5 Reform, \$19,867,638; Committee on Rules, \$6,349,796;
6 Committee on Science, Space, and Technology,
7 \$11,972,046; Committee on Small Business, \$6,767,072;
8 Committee on Transportation and Infrastructure,
9 \$18,561,298; Committee on Veterans' Affairs,
10 \$6,893,660; and Committee on Ways and Means,
11 \$18,348,158.

12 **SEC. 2. FIRST SESSION LIMITATIONS.**

13 (a) IN GENERAL.—Of the amount provided for in
14 section 1 for each committee named in subsection (b), not
15 more than the amount specified in such subsection shall
16 be available for expenses incurred during the period begin-
17 ning at noon on January 3, 2013, and ending immediately
18 before noon on January 3, 2014.

19 (b) COMMITTEES AND AMOUNTS.—The committees
20 and amounts referred to in subsection (a) are: Committee
21 on Agriculture, \$5,658,638; Committee on Armed Serv-
22 ices, \$7,374,759; Committee on the Budget, \$5,647,061;
23 Committee on Education and the Workforce, \$7,812,094;
24 Committee on Energy and Commerce, \$10,697,209; Com-
25 mittee on Ethics, \$3,393,775; Committee on Financial

1 Services, \$8,384,705; Committee on Foreign Affairs,
2 \$8,379,512; Committee on Homeland Security,
3 \$7,903,326; Committee on House Administration,
4 \$5,169,169; Permanent Select Committee on Intelligence,
5 \$4,823,910; Committee on the Judiciary, \$7,863,716;
6 Committee on Natural Resources, \$7,366,101; Committee
7 on Oversight and Government Reform, \$9,933,819; Com-
8 mittee on Rules, \$3,174,898; Committee on Science,
9 Space, and Technology, \$5,986,023; Committee on Small
10 Business, \$3,383,536; Committee on Transportation and
11 Infrastructure, \$9,280,649; Committee on Veterans' Af-
12 fairs, \$3,446,830; and Committee on Ways and Means,
13 \$9,174,079.

14 **SEC. 3. SECOND SESSION LIMITATIONS.**

15 (a) IN GENERAL.—Of the amount provided for in
16 section 1 for each committee named in subsection (b), not
17 more than the amount specified in such subsection shall
18 be available for expenses incurred during the period begin-
19 ning at noon on January 3, 2014, and ending immediately
20 before noon on January 3, 2015.

21 (b) COMMITTEES AND AMOUNTS.—The committees
22 and amounts referred to in subsection (a) are: Committee
23 on Agriculture, \$5,658,638; Committee on Armed Serv-
24 ices, \$7,374,759; Committee on the Budget, \$5,647,061;
25 Committee on Education and the Workforce, \$7,812,094;

1 Committee on Energy and Commerce, \$10,697,209; Com-
2 mittee on Ethics, \$3,393,775; Committee on Financial
3 Services, \$8,384,705; Committee on Foreign Affairs,
4 \$8,379,512; Committee on Homeland Security,
5 \$7,903,326; Committee on House Administration,
6 \$5,169,169; Permanent Select Committee on Intelligence,
7 \$4,823,910; Committee on the Judiciary, \$7,863,716;
8 Committee on Natural Resources, \$7,366,101; Committee
9 on Oversight and Government Reform, \$9,933,819; Com-
10 mittee on Rules, \$3,174,898; Committee on Science,
11 Space, and Technology, \$5,986,023; Committee on Small
12 Business, \$3,383,536; Committee on Transportation and
13 Infrastructure, \$9,280,649; Committee on Veterans' Af-
14 fairs, \$3,446,830; and Committee on Ways and Means,
15 \$9,174,079.

16 (e) CONDITIONS FOR RECEIPT OF FUNDS IN SECOND
17 SESSION.—None of the amounts provided for in section
18 1 for a committee named in subsection (b) may be avail-
19 able for expenses of the committee after March 15, 2014,
20 unless the chair or ranking minority member of the com-
21 mittee appears and presents testimony at a hearing of the
22 Committee on House Administration held prior to such
23 date—

24 (1) to review the committee's use of the
25 amounts provided for in section 1 during the first

1 session of the One Hundred Thirteenth Congress
2 and to determine whether the amount specified in
3 subsection (b) with respect to the committee should
4 be updated on the basis of the review; and

5 (2) to analyze whether the amount provided to
6 the committee under section 1 during the first ses-
7 sion of the One Hundred Thirteenth Congress was
8 sufficient to enable the committee to encourage and
9 achieve reductions in spending by the agencies and
10 offices of the Government over which the committee
11 has legislative or oversight jurisdiction.

12 **SEC. 4. VOUCHERS.**

13 Payments under this resolution shall be made on
14 vouchers authorized by the committee involved, signed by
15 the chairman of such committee, and approved in the
16 manner directed by the Committee on House Administra-
17 tion.

18 **SEC. 5. REGULATIONS.**

19 Amounts made available under this resolution shall
20 be expended in accordance with regulations prescribed by
21 the Committee on House Administration.

22 **SEC. 6. RESERVE FUND FOR UNANTICIPATED EXPENSES.**

23 (a) ESTABLISHMENT.—There is hereby established a
24 reserve fund for unanticipated expenses of committees for
25 the One Hundred Thirteenth Congress.

1 (b) BALANCE.—The balance of the reserve fund
2 under this section shall be equal to the sum of the fol-
3 lowing:

4 (1) The amount by which the amount made
5 available for “House of Representatives—Committee
6 Employees, Standing Committees, Special and Se-
7 lect” for fiscal year 2013 exceeds the amount that
8 would be made available for “House of Representa-
9 tives—Committee Employees, Standing Committees,
10 Special and Select” by division C of the Department
11 of Defense, Military Construction and Veterans Af-
12 fairs, and Full-Year Continuing Appropriations Act,
13 2013 (H.R. 933, as passed by the House of Rep-
14 resentatives on March 6, 2013), as reduced pursuant
15 to the provisions of division D of such Act.

16 (2) The amount by which the amount made
17 available for “House of Representatives—Committee
18 Employees, Standing Committees, Special and Se-
19 lect” for fiscal year 2014 exceeds the amount made
20 available for “House of Representatives—Committee
21 Employees, Standing Committees, Special and Se-
22 lect” for fiscal year 2013.

23 (c) ALLOCATION TO COMMITTEES.—Amounts in the
24 reserve fund under this section shall be paid to a com-

1 mittee pursuant to an allocation made under a resolution
2 adopted by the Committee on House Administration.

3 **SEC. 7. ADJUSTMENT AUTHORITY.**

4 The Committee on House Administration shall have
5 authority to make adjustments in amounts under section
6 1, if necessary to comply with an order of the President
7 issued under section 251A or 254 of the Balanced Budget
8 and Emergency Deficit Control Act of 1985 or to conform
9 to any change in appropriations for the purposes of such
10 section 1.



The CHAIRMAN. I would only say this. Again, it certainly is a difficult time to be involved at the Federal level, as far as our budgeting, but no more difficult than what is being recognized, certainly, by the American people, having come to a very difficult economic transition here.

And I think the House certainly has led by example. We did have a 5 percent cut in the 112th and followed by a in-the-sixth-percentile cut, now an 8 percent cut to our own individual MRAs, which happened just a week ago. And these are very difficult choices for us all to be making as Members of Congress within our own MRAs.

And now, as we look at what is happening with the committees, particularly when we think about, during the time that the House has really been leading by example, the executive branch for non-discretionary defense is—for nondefense discretionary spending has gone up I think 16.7 percent during the same time. And yet we are challenged, all of our committees are challenged with exercising the appropriate oversight.

So it is a difficult time. And I appreciate the gentleman's sentiments not to cut the committees' budgets, but the money has to come from somewhere else then. If there is an offset—I am not sure if you have an offset in mind. But, at any rate, I will be opposing the gentleman's amendment, but I certainly appreciate the spirit in which it is offered.

And I would ask if there are any other Members that want to speak to the amendment.

Ms. LOFGREN. Madam Chair.

The CHAIRMAN. The gentlelady from California.

Ms. LOFGREN. I would just like to briefly speak in support of Mr. Brady's amendment.

It is true that this is a difficult environment, and, certainly, each one of our personal offices has received reductions, and I haven't heard any Members coming in and asking for relief from that. And I think that that is appropriate. We know that is where we live, and we have to manage that.

But some of these committees, as the ranking member said, are going to save us a lot of money. And I know that this isn't the position you wish to be in either, but I really would hope that we might at least keep flat-line funding and see how many savings can be accomplished by the committees within those budget limits. Because I know in the last Congress there were committees that said, you know, that they didn't have enough and yet, through prudent management, they were able to give money back. And I give credit for that. But some committees, given the workload they had, it is just not going to be possible for them to do that and to fulfill the duties that we have asked them to do.

So I would hope that we could do this on a sort of salary-savings basis and maybe revisit where we are in a couple of months and see how the spending levels are down and see what maneuvering we might be able to make. I would recommend that as an alternative to the offset that is not included into the amendment.

The CHAIRMAN. I thank the gentlelady for her comments.

Are there any other comments?

If not, the question is on the amendment to the resolution.

All those in favor of the amendment, signify by saying yea.

Those opposed, signify by saying nay.

In the opinion of the chair, the nays have it. The nays have it.
The amendment is not agreed to.

Are there any other amendments?

The gentlelady from California.

Ms. LOFGREN. I have an amendment—

The CHAIRMAN. Yes.

Ms. LOFGREN [continuing]. Which I would offer now.

The CHAIRMAN. The gentlelady is recognized for 5 minutes to speak on the amendment.

Ms. LOFGREN. Thank you. And I don't know that I will take the full amount.

But I have served on a variety of different committees in this House—on the Judiciary Committee, the Science Committee, the Homeland Security Committee, the Ethics Committee, this committee. And I am mindful that the Judiciary Committee is about to engage in a level of activity that I don't think the funding is going to help them meet that obligation.

As you know, there has been tremendous discussion about gun violence, and, in talking to Mr. Goodlatte just a few hours ago, our efforts relative to the Second Amendment are going to be very time-consuming. And I know that on both sides of the aisle we want that to be done properly. I don't doubt that you feel the same way.

I would add also that there has been tremendous speculation, and I think accurate, that we may finally be able to work in a bipartisan basis on immigration reform. I can assure you, as the ranking member of that subcommittee and former chairperson of the Immigration Subcommittee, that Mr. Gowdy and I will work together very collaboratively. But the job is a massive one.

And my amendment would allow the Judiciary Committee just to maintain its current funding. That will mean reductions in staff, in some cases. But at least if we were to do that for the remainder of this fiscal year, we might have an opportunity to actually accomplish those two weighty goals and be able to take the reduction in the following year.

So that would be my amendment, Madam Chair. And I thank you for allowing me to offer it with these brief comments.

[The information follows:]

AMENDMENT TO H. RES. 115
OFFERED BY Ms. Lofgren

Page 2, beginning on line 14, strike “Committee on the Judiciary, \$14,154,032;” and insert “Committee on the Judiciary, \$15,727,432;”.

Page 3, line 19, strike “Committee on the Judiciary, \$7,077,016;” and insert “Committee on the Judiciary, \$7,863,716;”.

Page 4, line 21, strike “Committee on the Judiciary, \$7,077,016;” and insert “Committee on the Judiciary, \$7,863,716;”.



The CHAIRMAN. I appreciate the amendment of the gentlelady from California, and, again, I appreciate sincerely the spirit in which it was offered.

In fact, in regards to the Judiciary, you are absolutely right, and we did hear that testimony from both the chairman and the ranking member about step-by-step immigration reform, as we go forward, as a distinct possibility of that happening during this session, perhaps this year, and certainly in regards to the Second Amendment, as well, and some of the various proposals that are floating around here on both sides.

I think there is going to be quite a workload by the Judiciary. And really, as a consideration of that—that is, you see that Judiciary's percentage cut is lower than some of the other committees. Again, I recognize the tremendous workload that Judiciary, and the other committees as well, are absorbing, or will have in absorbing these cuts. And it is just a difficult time, as well.

So I will be opposing the gentlelady's amendment. Again, I appreciate the spirit in which it has been offered.

Any other Members have comments in regards to the amendment?

Mr. SCHOCK. Madam Chairman, I would just—

The CHAIRMAN. Mr. Schock.

Mr. SCHOCK. Thank you.

I would just add that, with regards to both the amendments that my friends on the other side of the aisle have offered, it is frustrating that these cuts are having to take effect across the board, really in essence of how they are happening, because of the sequestration. And I would just say that, you know, the House has done its work in passing an alternative to sequestration. Unfortunately, the Senate did not reciprocate, and so we are having to move forward with these cuts.

I do think it is a discussion we need to have moving forward with any other further deficit-reduction measures that the House and Senate agree to because of the point that was raised by the chairwoman, which is: When I came to Congress 5 years ago, discretionary spending from 2008 to 2010 went up by 40 percent. The executive branch received 16 percent increases in their spending, and certainly our MRAs and committee staff salaries and budgets did not increase by those amounts.

So I think when we look at reducing the size of government and making cuts in future deficit-reduction measures, we need to look historically at how fast certain agencies have grown when we go about our cutting.

Because I think the point that the minority is making is a relevant one, which is the work that we do in the House is an important one to accountability within these agencies and accountability of the Federal Government and also in good law-making. And the reality is no other agency or unit of government can do that which these committees are charged with or us as elected representatives with our MRA do. The casework that we do, the accountability that we administer to these agencies on behalf of our constituents is an important function, and there is no one else that can do that.

And so I certainly share these concerns, am equally frustrated by the kind of across-the-board cuts that are having to happen. But

we are where we are today, I would simply say, by, in my view, the inaction of the Senate to give us a scalpel as opposed to a hatchet. And so now we will, moving forward, I think have to hopefully include these thoughts in our next efforts to right-size our budget.

With that, I will yield back.

The CHAIRMAN. Any other Member wish to speak to the amendment?

Mr. BRADY. Yes. Madam Chair.

The CHAIRMAN. Mr. Brady.

Mr. BRADY. Thank you. And I speak in favor of the gentlelady from California's amendment.

And I sat here with these hearings, and I asked every chairman and ranking member about their staff. And I find myself a little perplexed here. Because if we would do flat-line or we would do some other way other than cutting some budgets, we are probably—I am sitting here helping the other party getting two-thirds more, then my party would get one-third more.

And I tell you that to say this: I do that not because I want people to get an increase or be able to hire more people. I worry about the people that they attract, especially Judiciary. I worry about every staff member on all these committees, especially Judiciary because most of them need a legal background, and I wonder how we attract them. And then we attract them, and when we do, how do we keep them? Not only how do we attract them or try to bring them in—I know they are all dedicated, but when you have to pay a mortgage, you can't pay it with dedication. You can't pay car payments, you can't pay schooling with dedication. And I wonder and I worry about—and every chairman and ranking member agreed that they are having a hard time, A, attracting them; B, keeping them, with their institutional knowledge.

And I understand that we have to do cuts. We are going to do it with no complaints for doing our own MRA, and it is what it is. But I wonder about the effectiveness of this House and how we can truly do the people's business when we can't get qualified people and, more so, we can't keep qualified people.

So that is why I would support this amendment. And I appreciate your time, and I yield back mine. Thank you.

The CHAIRMAN. I thank the gentleman's comments.

Any other Members?

All those in favor of the amendment will signify by saying yea.

Those opposed will signify by saying nay.

In the opinion of the chair, the nays have it. The nays have it. The amendment is not agreed to.

Are there any other amendments?

If not, I move that the committee favorably report House Resolution 115 to the House. And the question is on the motion.

All those in favor of the motion, signify by saying yea.

Opposed, say nay.

In the opinion of the chair, the yeas have it. The yeas have it. The motion is agreed to.

Without objection, the motion to reconsider is laid upon the table. Does any Member—

Mr. BRADY. Excuse me, Madam Chair.

The CHAIRMAN. Mr. Brady.

Mr. BRADY. I would like to ask that the minority Members request 2 additional calendar days provided by clause 2 of Rule XI of the Rules of the House in order to file reviews.

The CHAIRMAN. Without objection.

Mr. BRADY. Thank you.

The CHAIRMAN. All right. We will move to the next item. Very well.

The next item on the agenda is consideration of Committee Resolution 113-5, which is the committee franking resolution.

Again, this committee resolution essentially caps the amount of franked mail that all the respective committees can utilize at \$5,000, I believe is the number. And I will be supporting the resolution and hope that the committee sees fit to pass the resolution.

And I ask the ranking member if he has any comment.

Mr. BRADY. No.

The CHAIRMAN. So I call up and lay before the committee Committee Resolution 113-5. Without objection, the first reading of the resolution is dispensed with, and the resolution is considered read and open for amendment at any point.

[The information follows:]

COMMITTEE ON HOUSE ADMINISTRATION
113TH CONGRESS
COMMITTEE RESOLUTION 113-5
MARCH 14, 2013

Resolution to Approve Franked Mail Allowances for Committees for the 113th Congress

Resolved, pursuant to Public Law 101-520 § 311 (e) (codified at 2 U.S.C. 59e (e)), that effective January 3, 2013, and during the first session of the One Hundred Thirteenth Congress, the allocation of the Official Mail Allowance for the following committees of the House of Representatives is:

Committee on Agriculture	\$5000
Committee on Armed Services	\$5000
Committee on the Budget	\$5000
Committee on Education and the Workforce	\$5000
Committee on Energy and Commerce	\$5000
Committee on Ethics	\$5000
Committee on Financial Services	\$5000
Committee on Foreign Affairs	\$5000
Committee on Homeland Security	\$5000
Committee on House Administration	\$5000
Committee on the Judiciary	\$5000
Committee on Natural Resources	\$5000
Committee on Oversight and Government Reform	\$5000
Committee on Rules	\$5000
Committee on Science, Space, and Technology	\$5000
Committee on Small Business	\$5000
Committee on Transportation and Infrastructure	\$5000
Committee on Veterans' Affairs	\$5000
Committee on Ways and Means	\$5000
House Permanent Select Committee on Intelligence	\$5000

Resolved further, pursuant to Public Law 101-520 § 311 (e) (codified at 2 U.S.C. 59e (e)), that effective January 3, 2014, and during the second session of the One Hundred Thirteenth Congress, the allocation of the Official Mail Allowance for the following committees of the House of Representatives is:

Committee on Agriculture	\$5000
Committee on Armed Services	\$5000
Committee on the Budget	\$5000
Committee on Education and the Workforce	\$5000
Committee on Energy and Commerce	\$5000
Committee on Ethics	\$5000
Committee on Financial Services	\$5000
Committee on Foreign Affairs	\$5000
Committee on Homeland Security	\$5000
Committee on House Administration	\$5000
Committee on the Judiciary	\$5000
Committee on Natural Resources	\$5000
Committee on Oversight and Government Reform	\$5000
Committee on Rules	\$5000
Committee on Science, Space, and Technology	\$5000
Committee on Small Business	\$5000
Committee on Transportation and Infrastructure	\$5000
Committee on Veterans' Affairs	\$5000
Committee on Ways and Means	\$5000
House Permanent Select Committee on Intelligence	\$5000

The CHAIRMAN. Is there any amendment to the resolution?

If there are no amendments, I move the committee agree to the committee resolution. And the question is on the motion to agree to the resolution.

All in favor, signify by saying aye.

Opposed, say nay.

The motion carried. In the opinion of the chairman, the motion is agreed to.

And, without objection, the motion to reconsider is laid upon the table.

And the last item that we have before the committee is an original resolution to dismiss an election contest which happened in the 28th district of Texas.

I think this is a very simple resolution. I would ask the ranking member if he has any statement on the resolution.

Mr. BRADY. Thank you, Madam Chairman. I join you in recommending dismissal of this frivolous election contest.

I yield back the balance of my time.

The CHAIRMAN. I appreciate that.

I will now call up and lay before the committee the original resolution. And, without objection, the first reading of the resolution is dispensed with, and the resolution is considered read and open for amendment at any point.

[The information follows:]

House Calendar No. 13113TH CONGRESS
1ST SESSION**H. RES. 127****[Report No. 113–22]**

Dismissing the election contest relating to the office of Representative from the Twenty Eighth Congressional District of Texas.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2013

Mrs. MILLER of Michigan, from the Committee on House Administration, submitted the following resolution; which was referred to the House Calendar and ordered to be printed

RESOLUTION

Dismissing the election contest relating to the office of Representative from the Twenty Eighth Congressional District of Texas.

- 1 *Resolved*, That the election contest relating to the of-
- 2 fice of Representative from the Twenty Eighth Congres-
- 3 sional District of Texas is dismissed.

House Calendar No. 13

113TH CONGRESS
1ST SESSION **H. RES. 127**

[Report No. 113-22]

RESOLUTION

Dismissing the election contest relating to the office
of Representative from the Twenty Eighth Con-
gressional District of Texas.

MARCH 19, 2013

Referred to the House Calendar and ordered to be
printed

The CHAIRMAN. So are there any Members that want to offer an amendment to the resolution?

If not, I move the committee favorably report the original resolution to the House. The question is on the motion.

All those in favor, signify by saying yea.

Opposed, say nay.

In the opinion of the chairman, the yeas have it, and the motion is agreed to.

Without objection, the motion to reconsider is laid upon the table.

And for all of the matters that the committee has considered today, I ask unanimous consent that the staff be authorized to make technical and conforming changes if necessary.

Without objection, so ordered.

And this concludes all the matters before the committee. I certainly want to thank all the Members for their participation, their thoughtful amendments, thoughtful conversation.

And, with that, the meeting is adjourned.

[Whereupon, at 3:31 p.m., the committee was adjourned.]