

REDUCING NON-SECURITY SPENDING TO FISCAL YEAR  
2008 LEVELS OR LESS

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JANUARY 19, 2011.—Referred to the House Calendar and ordered to be printed

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Mr. DREIER, from the Committee Rules,  
submitted the following

R E P O R T

together with

MINORITY REPORT

[To accompany H. Res. 38]

The Committee on Rules, to whom was referred the resolution (H. Res. 38) to reduce spending through a transition to non-security spending at fiscal year 2008 levels, having considered the same, reports favorably thereon with amendments and recommends that the resolution as amended be agreed to.

The amendments are as follows:

Strike all after the resolved clause and insert the following:

That, pursuant to section 3(b)(1) of House Resolution 5, the Chair of the Committee on the Budget shall include in the Congressional Record an allocation contemplated by section 302(a) for the Committee on Appropriations for the remainder of fiscal year 2011 that assumes non-security spending at fiscal year 2008 levels or less.

Amend the title so as to read: "A resolution reducing non-security spending to fiscal year 2008 levels or less."

PURPOSE AND SUMMARY

H. Res. 38 directs the Chairman of the Committee on the Budget to include in the Congressional Record an allocation under section 302(a) for the Committee on Appropriations for the remainder of fiscal year 2011 that assumes non-security spending at fiscal year 2008 levels or below.

## BACKGROUND AND NEED FOR LEGISLATION

Over the past three years, non-security discretionary spending has increased 88 percent. As a result, the U.S. government borrows 41 cents of every dollar spent. In addition, for the first time in 36 years the 111th Congress failed to produce a budget resolution for fiscal year 2011. This means that there are no budget guidelines in place for the Committee on Appropriations to follow. It is critical at the start of the 112th Congress, as we move to address the country's massive deficit and significant over-spending, that committees have budgetary guidance in place.

This legislation will put this Congress on the path to making more responsible spending proposals for the remainder of fiscal year 2011.

## HEARINGS

On January 19, 2011, the Committee on Rules held a hearing on H. Res. 38 and received testimony from Mr. Van Hollen.

## COMMITTEE CONSIDERATION

The Committee on Rules met on January 19, 2011 in open session and ordered H. Res. 38 favorably reported to the House as amended by a voice vote.

## COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the record votes on the motion to report legislation and amendments thereto. A motion by Mr. Sessions to report the bill as amended to the House with a favorable recommendation was agreed to by a voice vote. The Committee disposed of the following amendments by record vote:

## Rules Committee Record Vote No. 19

Motion by Mr. Scott to amend the resolution to clarify the spending reduction by striking the language relating to a transition and providing that the levels can be 2008 levels or less. Agreed to: 8 yeas and 4 nays.

Majority Members	Vote	Minority Members	Vote
Mr. Sessions .....	Yea	Ms. Slaughter .....	Nay
Ms. Foxx .....	Yea	Mr. McGovern .....	Nay
Mr. Bishop .....	Yea	Mr. Hastings (FL) .....	Nay
Mr. Woodall .....	Yea	Mr. Polis .....	Nay
Mr. Nugent .....	Yea	.....	.....
Mr. Scott .....	Yea	.....	.....
Mr. Webster .....	Yea	.....	.....
Mr. Dreier, Chairman .....	Yea	.....	.....

## RULES COMMITTEE RECORD VOTE NO. 20

Majority Members	Vote	Minority Members	Vote
Motion by Mr. McGovern to add a new section to the resolution that would require a vote by the full House before any 302(a) allocation inserted in the Congressional Record by the Chair of the Committee on the Budget becomes effective. Not agreed to: 4 yeas and 8 nays.			
Mr. Sessions .....	Nay	Ms. Slaughter .....	Yea
Ms. Foxx .....	Nay	Mr. McGovern .....	Yea
Mr. Bishop .....	Nay	Mr. Hastings (FL) .....	Yea
Mr. Woodall .....	Nay	Mr. Polis .....	Yea
Mr. Nugent .....	Nay	.....	.....
Mr. Scott .....	Nay	.....	.....
Mr. Webster .....	Nay	.....	.....
Mr. Dreier, Chairman .....	Nay	.....	.....

## COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Pursuant to clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee made findings that are reflected in this report.

## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee states, with respect to H. Res. 38, that the Director of the Congressional Budget Office did not submit a cost estimate and comparison under section 402 of the Congressional Budget Act of 1974.

## PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the Committee finds that this measure does not authorize funding within the meaning of the rule.

## SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

H. Res. 38 instructs the Chairman of the Committee on the Budget to include in the Congressional Record an allocation under section 302(a) for the Committee on Appropriations for the remainder of fiscal year 2011 that assumes non-security spending at fiscal year 2008 levels or less.

## CHANGES MADE IN EXISTING HOUSE RULES BY H. RES. 38, AS REPORTED

In compliance with clause 3(g) of rule XIII of the Rules of the House of Representatives, the Committee finds that H. Res. 38 does not propose to repeal or amend a standing rule of the House.

## MINORITY VIEWS

On its face, H. Res. 38 appears to be a spending reduction measure. However, upon closer reading it's clear that the resolution is nothing but meaningless rhetoric. It is drafted to appear to reduce spending to the Fiscal Year 2008 levels, but that is not what this resolution accomplishes. Instead, it gives one Member of the House—the Chairman of the Budget Committee—the extraordinary authority to decide the cap for us, without having to face a vote of the House. We are very concerned about the precedent this authority sets, and believe Members of the House deserve the opportunity to consider specified spending levels, like the ones laid out in our budget enforcement resolution (H. Res. 1493) in the 111th Congress.

H. Res. 38 says we should “assume non-security spending at fiscal year 2008 levels or less” without defining “non-security” spending or specifying exactly what those levels might be. Many security-related programs fall within appropriations bills that might be considered “non-security,” such as the Defense Nuclear Weapons Activities in the Energy and Water Appropriations bill and FBI counterterrorism funding in the Commerce-Justice-Science Appropriations bill. Without more clarity, this resolution is so vaguely worded as to be meaningless.

With so many Americans struggling to find jobs and put food on the table, there is no excuse for spending the House's time with resolutions accomplishing nothing, such as this one. Without numbers or specifics, it is clear that H. Res. 38 is not a serious plan to reduce the deficit. We oppose this resolution and urge the Majority to simply reveal the spending caps—rather than pointing at imprecise rhetoric and labeling it a spending cut—and allow the House to take a direct vote on those caps.

LOUISE M. SLAUGHTER.  
JIM MCGOVERN.  
ALCEE HASTINGS.  
JARED POLIS.

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