

MINORITY VIEWS AND ESTIMATES

COMMITTEE FUNDING

The Democratic Members recommend that no additional funding be provided to the Select Committee on Benghazi or the Select Investigative Panel of the Energy and Commerce Committee to Smear Planned Parenthood and that current funding for these entities be rescinded. The Republican leadership has manipulated the committee funding process in the House to prevent the House Administration Committee from acting on funding for the Benghazi panel. It is our hope that in this year's follow up hearing, we will be able to hear directly from Select Committee on Benghazi and discuss their funding request.

When our Committee approved funding for the Energy and Commerce Committee in 2015 in the primary expense resolution for standing and select committees (except the Select Committee on Benghazi), the controversial videos regarding Planned Parenthood had not yet been released.

On November 17, 2015, the majority circulated a letter to members of our Committee proposing that the Committee authorize \$300,000 from the reserve fund for expenses for the Energy and Commerce Committee for 2015 to be used for the new Select Investigative Panel to investigate Planned Parenthood. We are disappointed the majority refused to acquiesce to our demand to hold a committee meeting which was required under the rules to debate and vote on any committee resolution to allow such funding. It is our view that the select panel is spending money which was never legally allocated to it. We currently await a new request in 2016 to waste even more funds on this farce, instigated by persons now awaiting trial in Texas for their actions

THE GOVERNMENT PUBLISHING OFFICE (GPO)

We strongly support the work of the GPO, which is essential to congressional operations and to the performance of numerous other agencies across the government.

Responding to legislation proposing to prohibit GPO from producing secure credentials for federal agencies, the Committee on Oversight and Government Reform (OGR) convened a hearing on October 21, 2015, to examine the issue. The Director of Government Publishing, the Honorable Davita Vance-Cooks skillfully explained that the GPO is authorized to produce secure credentials, as it has done in the case of passport blanks for the State Department for nearly a century. She further dispelled claims that GPO has a "monopoly" enabling it to steal work from the private sector; GPO merely offers federal agencies an option and thereby helps to create a competitive marketplace to agency customers comfortable with the notion of procuring important government credentials from a secure government source.

Moreover, the Director also assured the committee that once an agency requisitions a secure credential through GPO rather than directly from private industry, the GPO turns to private industry to procure competitively the electronic components and other materials necessary for final assembly. In other words, federal agencies such as the State Department, the Homeland Security Department and others requisition secure credentials through GPO rather than directly through the private sector because of the value GPO adds to the process. Recent examinations by the Government Accountability Office and National Academy of Public Administration have validated the GPO's secure-credentials program. We urge you to assume continuation of the "GPO option" for secure-credentials procurement by federal agencies believing it makes sense for them.

We also urge you to assume regular funding in the future to maintain and improve the next generation of the Federal Digital System ("FDsys"), for which Congress appropriated \$4-million in FY2016. Congress has supported FDsys for several years as the successor to *GPOAccess*, our original foray into electronic availability and preservation of federal documents. FDsys, which makes over 1.3-million federal documents available in perpetuity, needs improvement will require continual investment.

U.S. CAPITOL POLICE (USCP)

Congress appropriated \$378.9-million for salaries and expenses of the Capitol Police for FY2016, an increase of 7.76% over FY2015. This sum does not include the nearly 33% rise (from \$19.1-mil. to \$25.4-mil.) in the related appropriation to the Architect of the Capitol for operation and maintenance of the Capitol Police Buildings and Grounds. All told, Congress appropriated \$404.3-million for the USCP for FY2016, a substantial amount.

Given the level of threat believed posed to the U.S. Capitol, to the thousands who work here and to the millions who visit every year, we cannot reasonably expect dramatic reductions in the cost of security in the short term. However, we can reasonably hope for the establishment of a security level carefully balancing Americans' right to access to their representatives with their expectation that USCP is focused and determined to deliver maximum security at a reasonable cost.

We therefore appreciate the action of the appropriations committees making \$4-million provided in the FY2016 spending bill available only upon delivery by the Capitol Police Board of a plan for enhancing security of the Capitol campus. We look forward to reviewing the plan and working with the relevant committees for its eventual accomplishment.

ELECTION ASSISTANCE COMMISSION (EAC)

We continue to remain convinced of the utility of the Election Assistance Commission and continue to advocating for the agency.

The EAC's value to state and local election officials, particularly in a presidential election year, is impossible to overstate. From issuing voluntary voting system guidelines, assisting with every facet of voting system technology, and serving as a national clearing house for election data and best practices, the EAC has more than demonstrated its value to the taxpayer. Not equipping the agency with the resources necessary to continue its important work is inviting a repeat of the disaster that led to the establishment of the agency.

We take exception with a recent action at the EAC. On January 29, 2016, the Executive Director issued letters to Alabama, Georgia, and Kansas informing the states that their requested changes to the National Mail Voter Registration Form to reflect those states' proof of citizenship requirements had been accepted. This issue has been extensively litigated, with courts holding that the Executive Director of the agency lacks the authority to make such a substantial policy change to the form. Such a change to the form can only be applied with at least three votes of the agency's Commissioners. Indeed, in 2008, the EAC considered the same matter at the state of Arizona's request and voted to reject adding proof of citizenship requirements to the federal form.

FEDERAL ELECTION COMMISSION (FEC)

We remain frustrated with the Federal Election Commission and the seemingly constant state of paralysis the agency finds itself in. Complete gridlock as a result of tie votes continues to plague the FEC and, as a result, there has been a marked decrease in enforcement action and audits, two key elements to maintaining the integrity of what's left of our campaign funding system.

Partisan gridlock at the FEC has also impacted the agency's promulgation of necessary rules and regulations and the issuance of advisory opinions. At a time when the campaign funding legal framework changes dramatically from year to year, sometimes month to month, the role of the FEC has never been more important. Advisory opinions are relied upon by candidates and committees to ensure they do not run afoul of federal law. The total number of rulemakings undertaken by the agency has also been drastically reduced over the last several years.

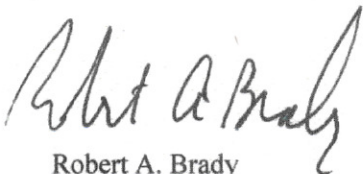
As a result of continued partisan inaction by the FEC, coupled with significant recent developments to campaign finance law, the entire system is in desperate need of a complete overhaul.

COMMISSION ON CONGRESSIONAL MAILING STANDARDS (FRANKING COMMISSION)

According to a report by the Congressional Research Service, Members of Congress spent an average of \$15.5 million taxpayer dollars on mass mailings and other communications annually in fiscal years 2013 and 2014. In 2015 alone, Members submitted over 7,600 new requests for franking approval. Despite these high volumes, there is currently no way the public can review these communications except through in-person requests in one of the Cannon House Office Building's back rooms. We contend that it is time for Congress to improve its transparency concerning Member communications and Members' Franking spending by opening its doors to the digital age and providing easier access to this information.

- On April 29, 2011, Speaker Boehner called for an increase in transparency of House and committee operations, pledging "The new House Majority is dedicated to changing how our institution operates, with an emphasis on real transparency and greater accountability. Openness, once a proud tradition of the House, is again the new standard."
- On July 20, 2011, under Chairman, Aaron Schock, the Commission instructed staff to create a bipartisan website that would host publicly available electronic copies of Franking Advisory Opinions with their mass mailings and communications attached.
- On June 26, 2014, Members of the Franking Commission were notified that such a website was created. Additional concerns were raised about the proposed disclosure system and some Members of the Commission asked for additional options to achieve such goals.
- The following week, the Democratic staff of the Franking Commission provided additional options for disclosure. Since then, there has been no additional action on the transparency agenda despite our persistence interest.

We believe that increasing transparency in Congress is a shared, bipartisan goal. We are hopeful that this year will realize the Commission's prior actions to provide more information to the taxpayer on how their money is being spent.



Robert A. Brady
Ranking Member



Zoe Lofgren
Member



Juan Vargas
Member

February 3, 2016