COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS
RANKING MEMBER

SELECT COMMITTEE ON INTELLIGENCE

United States Senate
Senator Tom Coburn, MD

COMMITTEE ON BANKING, HOUSING,
AND URBAN AFFAIRS
SUBCOMMITTEE ON ECONOMIC POLICY

SUBCOMMITTEE ON SECURITIES,
INSURANCE, AND INVESTMENT

SUBCOMMITTEE ON HOUSING, TRANSPORTATION,
AND COMMUNITY DEVELOPMENT

May 28, 2013

Honorable John Boehner
Speaker of the House

Honorable Harry Reid
Majority Leader

Dear Majority Leader Reid,

During this time of fiscal uncertainty caused by sequestration, I commend you for ensuring the symbol of our democracy, the U.S. Capitol building, remains open to visitors. Perhaps nothing better embodies Washington dysfunction than the White House being closed to public tours. Keeping the Capitol open, therefore, demonstrates Congress is capable of rising above partisan differences for the common good of the institution and the American people.

However, taxpayers wishing to meet with their elected representatives must now stand and wait in long lines at entrances of congressional office buildings and the Capitol Police, who serve to protect during these times of uncertainty, face furloughs.

These are challenges every office in each branch of the federal government faces as the fiscal realities of sequestration settle in. Meanwhile, Congress continues to delay the hard choices that will solve our biggest and most pressing problem: an unsustainable long-term debt fueled by the exploding costs of entitlement programs. The lack of courageous leadership on both sides to make politically-tough but policy-smart decisions to ensure the viability of Medicare, Medicaid, and Social Security resemble the flawed thinking and malaise not so unlike what brought about sequestration in the first place: a failure to stand up and set difficult priorities. As the federal government manages sequestration, Congress should finally do what it has avoided doing for so long—identify fiscal priorities—and there is no better place to start than within Congress's own halls.

Knowing sequestration was a possibility for the last 18 months, I conducted a thorough review of every position in my office to identify opportunities to consolidate, eliminate or create hybrid positions when necessary to save money. Since January 2012, I have reduced my staff by seven full time positions without comprising constituent services. Even more, I sent back $242,800 of my office budget to the federal treasury in FY 2012. Since entering the Senate in 2005, I have returned $3.3 million to the Treasury Department as unused funds - more than my office's entire annual budget for FY 2013.

We collectively must follow a similar path to ensure essential functions of government continue by reducing or eliminating other non-essential activities. In doing so Congress must lead by example. We cannot expect everyone else in America to pay the price of Congress' failure to set priorities.

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There are a variety of commonsense actions Congress could take to save money within its own budget while providing both the necessary level of protection and access to Congress. The following are just a handful of suggestions.

Do Nothing Congress

As the legislative branch of government, Congress is entrusted with important constitutional responsibilities, such as writing the laws that govern our nation, approving treaties and executive and judicial nominations, and conducting oversight to safeguard the rights of the people and to hold government accountable.

For fiscal year 2012, the year in which sequestration was formulated as part of the Budget Control Act, the legislative branch still appropriated itself $4.3 billion, a 72 percent increase since fiscal year 2000. [1] During that period, the average American wage increased by 33 percent.[2]

As Congress' spending on itself has increased, its ability to fulfill its constitutional duties has languished. Fewer bills are being debated, committees are not conducting oversight, and despite holding the power of the purse, basic decisions are not being made about the federal budget, thus sequestration.

This year is nearly half over and only ten bills passed by Congress have been signed into law.[3] That is a slower legislative pace than even the last Congress which "could easily have the lowest level of legislative activity since statistics began being tabulated," according to the Capitol Hill newspaper *Roll Call*.[4]

It is not just debating and passing bills where Congress is falling short, but also holding hearings and conducting oversight. Congressional committees were created to serve a vital role in Congress, both as the starting point for legislation and as a watchdog for taxpayers by holding hearings and conducting oversight of executive agencies. Sadly committees are increasingly abandoning these roles.

A report entitled *Shooting the Messenger*, which my office released in November 2011, detailed the decline of congressional oversight. Congressional hearings have been in decline for the past 30 years, decreasing from roughly 4,000 per session to 2,500 per session. There was even a significant decline from the 110th Congress (2007- 2008) to the 111th Congress (2009-2010) with a majority of committees in both chambers having held fewer hearings.

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[1] Ida A. Brudnick, "Legislative Branch: FY 2013 Appropriations," Congressional Research Service, May 2, 2013; http://crs.gov/pages/Reports.aspx?PRODCODE=R42500&Source=ops.

[2] "National Average Wage Index," http://www.ssa.gov/oact/cola/AWI.html#Series

[3] "Public Laws," The Library of Congress, Thomas website, accessed May 23, 2013; http://thomas.loc.gov/cgi-bin/bdquery/L?d113:./list/bd/d113pl.lst:1[1-10](Public_Laws)|TOM:/bss/d113query.html| .

[4] Jonathan Strong and Humberto Sanchez, "Congress On Pace to Be Least Productive," Roll Call, September 13, 2012, http://www.rollcall.com/features/Guide-to-Congress_2012/guide/Congress-On-Pace-to-Be-LeastProductive-217538-1.html .

In another report, *Wastebook 2012*, I pointed out how key committees in Congress held few hearings despite overseeing important areas, such as the budget and entitlements. For instance, the Senate Budget Committee held only 12 hearings last year despite our government having both the largest budget and largest debt in history. The Senate Finance Committee, which oversees all federal entitlements, such as Social Security and Medicare, was one of the least active committees in all of Congress as measured by both hearings and reported bills.

When committees fail to do their job, not only is Congress less prepared to perform its constitutional duties, but the American people lose confidence in our democratic institutions. Not surprisingly, only 16 percent of Americans approve of the job being done by Congress according to the most recent Gallup poll.[5]

The reductions due to sequestration should be applied more heavily on those committees that are doing the least, which would have less of noticeable impact on the workings of Congress since they are not working. Likewise, each chamber should seriously consider consolidating some committees and leadership offices to become more efficient.

As the Ranking Member of the Senate Governmental Affairs and Homeland Security Committee (HSGAC), I am certain we could sustain the appropriate levels of funding for those agencies we truly depend upon to do our jobs as legislators—the Capitol Police, the Congressional Research Service, the Library of Congress, the Congressional Budget Office, Legislative Counsel, and others—by reducing funding for inactive committees and eliminating funding for unnecessary printing and perks and subsidies for congressional souvenirs, senator's hair care, and retirement packages for retired Speakers of the House.

Unnecessary Printing of Bills and Reports

The annual budget of the Government Printing Office (GPO) last year was $126 million.[6] While many GPO publications may be useful for a few members of Congress and their staff, others are unnecessary and wasteful.

Every time a bill is introduced, several copies are printed and sent to the committee of jurisdiction. Few of these bills ever receive any meaningful action and most never become law. Consider in the last Congress, over 6,700 bills were introduced in the House and more than 3,700 introduced in the Senate, yet fewer than 300 bills became law.[7] Furthermore, copies of every bill and amendment introduced are available online.

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[5] Elizabeth Mendes, "Americans Down on Congress, OK With Own Representative," Gallup, May 9, 2013; http://www.gallup.com/poll/162362/americans-down-congress-own-representative.aspx

[6] Ida A. Brudnick, "Legislative Branch: FY 2013 Appropriations," Congressional Research Service, May 2, 2013; http://crs.gov/pages/Reports.aspx?PRODCODE=R42500&Source=ops.

[7] The Library of Congress, Thomas website, accessed May 7, 2013; http://thomas.loc.gov/home/multicongress/multicongress.html .

Every month copies of "Economic Indicators," are delivered, as well as multiple copies of the "Calendar of Business" and the "Executive Calendar," which are delivered to offices every day the Senate is in session. A few weeks ago my office received a bound book that was never requested entitled "Legislative Activities 112th Congress" listing all of the bills and amendments I sponsored and co-sponsored the last two years. All of this information is available on the internet for any member that wants it, and at no cost for either printing or delivery.

Rides to Work for Congress and Staff

Members of the House of Representatives are currently allowed to use up to $1,000 per month to pay for vehicle leases.[8] In order to be paid by a Member's Representational Allowance (MRA), the vehicle must be on an approved list provided by the Environmental Protection Agency (EPA) which includes vehicles from luxury manufactures such as Audi, BMW, Mercedes-Benz, Range Rover, and Porsche.[9] In 2010, one lawmaker spent office funds to pay for his Escalade SUV, and a June 2012 report concluded 76 members were paying for vehicle leases with taxpayer funds.[10 {11}]

Similarly, Congressional staff also receive generous subsidies to cover the cost of their transportation to and from work. Currently, Senate staffers can receive up to $2,880 per year in Metro subsidies.[12]

Congressional Knick-Knacks and Souvenirs

The Capitol Visitor Center has two gift shops which sell U.S. Congress t-shirts, mugs and knick-knacks. Both stores are losing money. The Architect of the Capitol (AOC) manages the shops but "won't say how much they lose," according to *The Hill* newspaper, but notes it costs $1 million just to support the store's 20 employees.[13]

Rent, Utilities and Staff for Retired Speakers of the House

Former Speakers of the House can claim nearly $1 million a year for up to five years after they leave Congress to maintain an office for archiving documents and tying up unfinished

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[8] "Vehicle Leases," The United States House of Representatives website: http://www.house.gov/content/vendors/leases/vehicle.php .
[9] EPA Website, "Low Greenhouse Emitting/EISA 141 Complaint Duty Vehicles Model Year 2013," http://www.epa.gov/otaq/climate/documents/420b13019a.pdf.
[10] USA Today, "Lawmakers to keep vehicle leases funded by taxpayers," December 29, 2013; http://usatoday30.usatoday.com/news/washington/2010-12-29-congressmen-vehicle-leases_N.htm
[11] Jamie Dupree, "Congressional Auto Leases," The Atlanta Journal-Constitution, June 8, 2012; http://www.ajc.com/weblogs/jamie-dupree/2012/jun/08/congressional-auto-leases/.
[12] Email from Senate Rules Committee Clerk Lynden Johnson, January 8, 2013.
[13] Erik Wasson, "Congress's gift shops losing money," The Hill, January 18, 2012; http://thehill.com/homenews/house/204735-even-congresss-gift-shops-losing-money .

business.[14] What makes this particularly unique is that no equivalent benefit is available to former majority leaders of the Senate, or to any other individual congressional officeholder.

The money can be spent on a wide variety of purposes, including travel, office rent, furniture, a staff, and other expenses such as computers, phones, blackberries, cable, and Internet.[15] Mail sent from the office can be sent free of charge, using the congressional franking privilege.

Between FY 2009 and 2012, $1.4 million was spent for former Speaker Dennis Hastert.[16] That amounted to $40,000 a month, including, among other expenses, the salaries of three employees making up to $140,000 a year and $6,300 a month in rent for office space. It also included payments totaling at least $38,000 in consulting fees to Burnham Strategies Group, a public relations firm founded by the former Speaker's press secretary and campaign manager.[17] For a period of time, $860 a month went toward a lease for a 2008 GMC Yukon, [18]which sat largely unused in a barn and the lease was not renewed when it expired in 2010.[19]

Like many spending initiatives that pass Congress, the account for Former Speakers was at first meant to be temporary when established in 1970.[20] At the time, Congress viewed the creation of the temporary account as an appropriate way for then Speaker John W. McCormack, who was scheduled to retire after a 42-year tenure in Congress, to finish Speaker-related duties after leaving office.[21] One year later, the account was made permanent, and former Speakers can now enjoy access to the fund five years after leaving Congress.[22]

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[14] Skiba, Kathrerine, and Gerry Smith, "Former House Speaker Dennis Hastert's perk costs taxpayers $1 million," *Chicago Tribune*, February 17, 2010, http://www.chicagotribune.com/news/local/ct-met-use-this-hastert-0218-20100217,0,640306.story?page=2.

[15] A report of the Congressional Research Service, Glassman, Matthew Eric, "Former Speakers of the House: Office Allowances, Franking Privileges, and Staff Assistance," January 3, 2013, Report no. RS20099.

[16] Figures provided by the Congressional Research Service from breakdown of 2010 spending data; http://disbursements.house.gov/2010q3/2010q3_vol1.pdf .

[17] Skiba, Kathrerine, and Gerry Smith, "Former House Speaker Dennis Hastert's perk costs taxpayers $1 million," *Chicago Tribune*, February 17, 2010, http://www.chicagotribune.com/news/local/ct-met-use-this-hastert-0218-20100217,0,640306.story.

[18] Figures calculated from review of archived FY 2009 to FY 2012 "Statement of Disbursements," U.S. House of Representatives, http://disbursements.house.gov/archive.shtml.

[19] Skiba, Kathrerine, and Gerry Smith, "Former House Speaker Dennis Hastert's perk costs taxpayers $1 million," *Chicago Tribune*, February 17, 2010, http://www.chicagotribune.com/news/local/ct-met-use-this-hastert-0218-20100217,0,640306.story?page=2.

[20] Matthew Eric Glassman, "Former Speakers of the House: Office Allowances, Franking Privileges, and Staff Assistance," Congressional Research Service, January 3, 2013; http://www.crs.gov/pages/Reports.aspx?PRODCODE=RS20099&Source=search

[21] Rep. Thomas O'Neill, "Relating to the Speaker of the House of Representatives in the 91st Congress," remarks in the House, Congressional Record, vol. 116, December 22, 1970, pp. 43313-43317.

[22] Matthew Eric Glassman, "Former Speakers of the House: Office Allowances, Franking Privileges, and Staff Assistance," Congressional Research Service, January 3, 2013; http://www.crs.gov/pages/Reports.aspx?PRODCODE=RS20099&Source=search

Programs Administered By Congress

It is the role of Congress to write the laws and the role of the executive branch to carry out those laws. Congress, however, administers two programs—one to promote democracy abroad and another to promote public leadership at home.

The Open World Leadership Center, which received $10 million in funds for FY 2012, encourages leaders of other countries to "observe democracy and free enterprise in the United States."[23] This includes trips for political leaders from other countries that emphasize American democracy and free enterprise.[24] When the program was created in 1999 it was focused on Russia but has been expanded to include other nations.[25] The mission, while worthy and well intentioned, duplicates that of other federal programs. The State Department's Bureau of Democracy, Human Rights, and Labor supports and promotes democracy programs around the world including the Human Rights and Democracy Fund, which was funded at $207 million in FY 2010.[26] The Center of Excellence on Democracy, Human Rights and Governance at the United States Agency for International Development (USAID) likewise promotes "the advancement of democracy, human rights, and sound governance abroad, as well as manages grants and provides technical support to USAID missions implementing programs in these areas."[27] The federal government also funds the non-profit foundation the National Endowment for Democracy, which provides over 1,000 grants to promote democratic ideals in more than 90 countries.[28] There have been numerous efforts in recent years to remove the program from the legislative branch and no time seems better than the present to make that finally happen.

The Stennis Center for Public Service was established by Congress "in 1988 to encourage public service by congressional staff through training and development programs."[29] While funded by an endowment and private donations, the program also received $488,000 in federal funds for FY 2012.[30] The Center's "mandate is to attract young people to careers in public service, to provide training for leaders in or likely to be in public service, and to offer development opportunities for senior congressional staff" with "conferences, seminars, special projects, and leadership development programs."[31] Again, there are numerous executive branch

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[23] Ida A. Brudnick, "Legislative Branch: FY 2013 Appropriations," Congressional Research Service, May 2, 2013; http://crs.gov/pages/Reports.aspx?PRODCODE=R42500&Source=ops.

[24] Ida A. Brudnick, "Legislative Branch: FY 2013 Appropriations," Congressional Research Service, May 2, 2013; http://crs.gov/pages/Reports.aspx?PRODCODE=R42500&Source=ops

[25] Ida A. Brudnick, "Legislative Branch: FY 2013 Appropriations," Congressional Research Service, May 2, 2013; http://crs.gov/pages/Reports.aspx?PRODCODE=R42500&Source=ops

[26] "DRL Programs: Human Rights & Democracy Fund," U.S. Department of State website, accessed May 7, 2013; http://www.state.gov/j/drl/p/index.htm .

[27] "BUREAU FOR DEMOCRACY, CONFLICT AND HUMANITARIAN ASSISTANCE," United States Agency for International Development website, accessed May 7, 2013; http://www.usaid.gov/who-we-are/organization/bureaus/bureau-democracy-conflict-and-humanitarian-assistance .

[28] "About NED," National Endowment for Democracy website, accessed May 7, 2013; http://www.ned.org/about .

[29] Ida A. Brudnick, "Legislative Branch: FY 2013 Appropriations," Congressional Research Service, May 2, 2013; http://crs.gov/pages/Reports.aspx?PRODCODE=R42500&Source=ops

[30] Ida A. Brudnick, "Legislative Branch: FY 2013 Appropriations," Congressional Research Service, May 2, 2013; http://crs.gov/pages/Reports.aspx?PRODCODE=R42500&Source=ops

[31] Matthew Eric Glassman, "Congressional Membership and Appointment Authority to Advisory Commissions, Boards, and Groups," Congressional Research Service, February 5, 2013; http://www.crs.gov/Products/RL/PDF/RL33313.pdf .

programs that share these worthy goals that make this program duplicative and unnecessary. These include the Corporation for National and Community Service, the Public Service Loan Forgiveness Program, and initiatives at other federal departments such as the Departments of Health and Human Services, Housing and Urban Development, and Justice's Bureau of Prisons.

Hair Care for Senators

Senators have a barber shop and hair salon located in the basement of the Russell Senate Office Building. However, Senate Hair Care costs about $900,000 to operate every year and last year, taxpayers footed the bill for $401,000 of that amount. The salon, which provides "a range of haircuts, shampooing, coloring and waves, nail services, hair removal and shoe shines" has lost more than $340,000 every year since 1997, which amounts to millions of dollars in beauty bailouts for senators charged to taxpayers.[32]

Lifestyle Coaching for Congress

Congress has created a variety of training programs designed to assist staff with their jobs, though the offerings frequently have little to do with legislation. Both the Senate Office of Education and Training and the House Learning Center sponsor classes that instead cover topics related to everyday living, such as:

- A class to help staffers socially titled "*Small Talk: Breaking the Ice in Social Situations*"; *and*
- A lifestyle class designed to help staffers titled "*Lighten Up! Spring Cleaning for your Body and Your Life*," where staffers can learn about healthy eating and recipes to be "balanced, calm and focused and several practices that will support you in releasing the old and inviting in the new."

Since sequestration was implemented, both the House and Senate have continued to hold classes for staffers that have little if anything to do with legislating, such as:

- *From Stress to Relaxation* to help staffers with "exhaustion and lack of clarity" (Senate)
- *Your Credit Score - Friend or Foe (House)*
- *Choose Your Attitude: Attitude is Everything* (Senate)
- *What's My Communication Style?* (Senate)
- *Benefits of a Good Night's Sleep* (Senate)

While tours of landmarks across the nation's capital, including the White House, have been closed to the public, specialized tours and workshops continue for some who work in

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[32] Lynn Hulsey, "Senate even losing money on haircuts; Critics say $400K deficit for hair salon symbolic as Congress seeks military, domestic program cuts," Dayton Daily News, February 9, 2013; http://www.daytondailynews.com/news/news/national-govt-politics/senate-even-losing-money-on-haircuts/nWKFX/.

Congress. Since sequestration, chief administrative officials have continued to receive invites to enjoy special tours of the congressional cemetery, outdoor walks around the Capitol, and Civil War-themed tours, among others. The U.S. Botanical Garden, which received $12 million in FY 2012, has continued to host a variety of garden workshops and lectures to educate staffers on how they can "incorporate native wildflowers into your garden" and a photography class entitled, "Photographing Flowers Artistically Workshop."[33]

I would be pleased to work with you to look at these and other areas for savings to ensure the resources necessary to provide public access and security of the Capitol complex and to ensure Congress can, if it is willing to, conduct its constitutional responsibilities.

Sincerely,

Tom Coburn, M.D.

CC: Stephen T. Ayers, Architect of the Capitol
Terrance W. Gainer, Senate Sergeant at Arms
Dan Strodel, House Chief Administrative Officer

[33] Ida A. Brudnick, "Legislative Branch: FY 2013 Appropriations," Congressional Research Service, May 2, 2013; http://crs.gov/pages/Reports.aspx?PRODCODE=R42500&Source=ops