

Congress of the United States
Washington, DC 20515

December 7, 2015

The Honorable Hal Rogers
Chairman
House Committee on Appropriations
H-305, The Capitol
Washington D.C. 20515

Dear Chairman Rogers:

Article I is the Constitutional basis and structure for Congress to set funding priorities and policies in the pending Omnibus Appropriations Act. Decades of unchecked bureaucratic regulations and judicial activism has relegated Congress, particularly, the House of Representatives to the sidelines.

With over \$19 trillion in debt and job killing regulations routinely implemented by Administrations of both parties, the House of Representatives must lead and protect individual rights through the Power of the Purse. Delegating this authority away for political expediency or in the name of being a team player is a losing proposition for our constituents. Our Founding Fathers expected more from us and it is time we recommit to our constituents and our fellow members a resolve to use Article I as the core focus of our legislative responsibilities.

Contrary to Rep. Nancy Pelosi and Senator Harry Reid's recent statements, the upcoming Fiscal Year (FY) 2016 Omnibus Appropriations Act is and must be our opportunity to offer policy provisions restoring individual rights and freedoms while serving as a check on the federal bureaucracy.

Many of our colleagues have worked very hard to garner support for their legislative initiatives. Many more colleagues were shut out by a Democratic majority intent on obstruction and deceit. This letter is not exhaustive of the concerns that need to be addressed in the upcoming FY 2016 Omnibus Appropriations Act but **WE FEEL THE FOLLOWING POLICY PROVISIONS SHOULD BE INCLUDED IN THE FISCAL YEAR 2016 OMNIBUS APPROPRIATIONS ACT:**

- 1) Chairman Tom Cole included in the FY 2016 Labor/HHS Appropriations Act passed by the House Appropriations Committee a key provision commonly referred to as the **OSHA Walk Around Rule barring** individuals associated with third-party organizations, *i.e.*, union officials, from joining OSHA inspectors on work site safety inspections;

- 2) Chairman Cole also included provisions **blocking the ambush election rule** proposed by the National Labor Relations Board (NLRB) and a **prohibition on issuing new joint-employer standards**;
- 3) Rep. Andy Harris included in the same bill a **micro-union amendment prohibiting** funding to implement or enforce a National Labor Relations Board ruling that allows certain groups of employees within a larger company to form separate unions;
- 4) Rep. Peter Roskam's extensive work as Chairman of the House Ways and Means Oversight Subcommittee has uncovered the need for an **amendment to defund a regulation allowing** for the hiring of outside counsels to administer IRS responsibilities. Rep. John Katko has sponsored similar legislation;
- 5) Rep. Sean Duffy has authored successful **ICANN defund amendments** included in the Fiscal Year 2015 CROmnibus Act and Fiscal Year 2016 Commerce Justice Appropriations Act prohibiting President Obama and the Department of Commerce from transferring control of the Internet to foreign control;
- 6) Rep. Paul Gosar has successfully sponsored amendments the past two years to **defund the HUD's Affirmatively Furthering Fair Housing Regulation** in the Transportation, Housing and Urban Development Appropriations Act. As Rep. Gosar and other colleagues have previously written against it, "the rule will result in increased local taxes, [and] will depress property values."
- 7) Congress is on record **opposing the use of taxpayer funds to transfer Gitmo detainees to U.S. soil**. Transferring known terrorists to U.S. soil threatens the lives of our constituents. Maintaining this prohibition is the only way to prevent President Obama from acting unilaterally and unconstitutionally.
- 8) Rep. Lynn Westmoreland's "**Sue and Settle Amendment**" pending in the Interior Appropriations bill would prohibit the EPA and other agencies from engaging in this tactic. As Rep. Westmoreland has written to his constituents, "The 'Sue and Settle' tactic is a form of collusion between the EPA and radical environmental groups. These groups then sue the EPA over the scope of a specific law, but rather than go to court, back-room settlements are made that would expand the EPA's power....These tactics side step our Congress and the voice of our citizens, but businesses still have to adhere to these new, costly regulations."
- 9) The House of Representatives is on record supporting Rep. Pat Meehan's **Justice for Victims of Iranian Terrorism Act**. Rep. Meehan spoke on the floor. "The bill before us today presents a different but related question: should Iran receive U.S. sanctions relief before it pays the victims of its terrorism all of what U.S. courts say those victims are owed?...Until they pay these victims what they're owed, let's say no to Iran, not one cent."
- 10) Rep. Yoder has successfully authored an amendment in the FY 2016 Homeland Security Appropriations Act passed by the Committee to **prohibit certain state and local grants from going to "Sanctuary" Cities**.
- 11) Other proposals we support including in the final FY 2016 Omnibus is the "**REINS Act**" and defund amendment to the "**Waters of the United States**" rule as well as the Department of Labor's "**Fiduciary Rule**."

The above are not all inclusive, but provide a baseline framework of some of the important policies and priorities that need to be included in the upcoming Omnibus funding bill.

The runaway Executive Branch has been allowed to usurp Congress' Constitutional authority for too long.

We have a responsibility to begin to re-establish the pre-eminent role of the House of Representatives in determining how the people's money should be spent.

In historic remarks, you [Speaker Paul D. Ryan] said, "the House is broken. We are not solving problems." We concur.

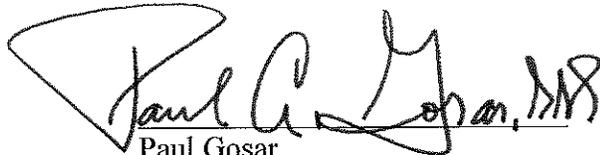
Going forward under new leadership, our constituents will hold us more accountable: no more talk and press release governance. We can only restore the trust of our constituents if we fully implement Article I priorities by successfully sponsoring legislation and amendments reining in the entire Executive Branch and bureaucracy.

We respectfully urge each one of you to stand with us as we reassert the authorities granted to us by Article I of the United States Constitution, and the citizens who have elected us to office.

Sincerely,



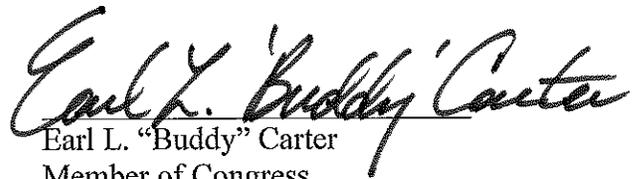
Ken Buck
Member of Congress



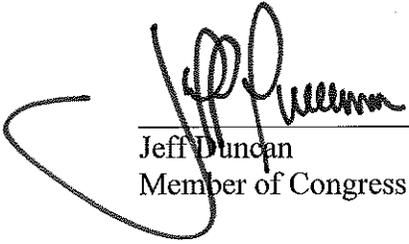
Paul Gosar
Member of Congress



Lynn Westmoreland
Member of Congress



Earl L. "Buddy" Carter
Member of Congress



Jeff Duncan
Member of Congress



Sean Duffy
Member of Congress



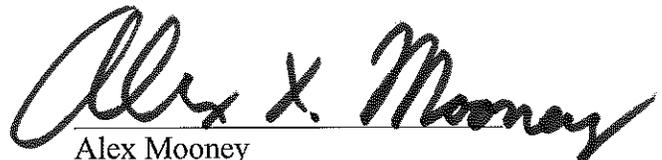
Mark Meadows
Member of Congress



Gary Palmer
Member of Congress



Dave Brat
Member of Congress



Alex Mooney
Member of Congress



Matt Salmon
Member of Congress



Louie Gohmert
Member of Congress