

January 31, 2022

The Honorable Mitch McConnell  
Majority Leader of the U.S. Senate  
S-230, The Capitol  
Washington, D.C. 20510

The Honorable Nancy Pelosi  
Speaker of the U.S. House of Representatives  
H-232, The Capitol  
Washington, D.C. 20515

The Honorable Chuck Schumer  
Republican Leader of the U.S. Senate  
S-221, The Capitol  
Washington, D.C. 20510

The Honorable Kevin McCarthy  
Republican Leader of the U.S. House of Representatives  
H-204, The Capitol  
Washington, D.C. 20515

Leader Schumer, Speaker Pelosi, Minority Leader McConnell, and Minority Leader McCarthy:

The undersigned organizations represent the Power of the Purse Coalition, an ideologically diverse collection of civil society groups focused on helping Congress reclaim and effectively reassert its traditional purview over tax and spending matters (i.e., its power of the purse). We formed in July 2020 to advocate for meaningful action on power of the purse issues.

We write to you today, at the outset of the second session of the 117<sup>th</sup> Congress, for two reasons. First, we commend and applaud important steps Congress has taken toward strengthening its power of the purse over the past two years. Second, we encourage Congress to build on this progress by continuing the vital work of reclaiming its constitutional authorities around taxation and spending through the promotion of more accountability, transparency, and oversight capacity regarding the use of tax dollars.

First, we were encouraged by passage of the Taxpayers Right to Know Act<sup>1</sup> and the Congressional Budget Justification Transparency Act.<sup>2</sup> Each of these critical pieces of legislation, which have now been signed into law, helps restore Congress's power of the purse by requiring more transparency regarding how the executive branch and its agency components use federal tax dollars and more reporting regarding the future use of such funds. By making this kind of information more accessible and publicly available, Congress took meaningful steps toward lifting the veil of secrecy around federal spending. In turn, this enhanced transparency will help Congress monitor and crack down on wasteful spending, and conduct the kind of oversight that will improve effectiveness and integrity in federal spending overall. We urge you to engage with the administration to ensure that these laws are implemented in a timely manner, as some of the initial deadlines for action have already passed.<sup>3</sup>

Second, we urge you to finish work on pending legislation that would bolster the power of the purse and send these measures to the president's desk. This unfinished business includes comprehensive reforms to the Inspector General system, enhanced protections for federal government whistleblowers, overdue reforms of the National Emergencies Act, and a series of power of the purse initiatives included in FY22 appropriations bills advanced by both the House and the Senate. Collectively, these reforms would result in a vastly more accountable and transparent federal spending framework. These proposals would provide Congress and other watchdogs with the resources, capabilities, and protections they need to prevent and report waste, fraud, abuse, and corruption when it happens. Just as importantly, these reforms would also substantially rebalance the growing power asymmetry between Congress and the executive branch.

Lastly, we would like to encourage Congress to use the remainder of the 117<sup>th</sup> Congress to advance additional power of the purse reforms, including:

- **Congressional Power of the Purse Act:** This bill, introduced in the 116<sup>th</sup> Congress on a stand-alone basis<sup>4</sup> and integrated into the Protecting Our Democracy Act,<sup>5</sup> recently passed the House, includes targeted reforms to improve Congress's ability to exercise oversight and enforce laws that ensure the executive branch respects Congress's constitutional role in the spending process. Among these reforms are

<sup>1</sup> See Sec. 9601: Congress.gov. "Public Law 116-283—January 1, 2021: William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021." Retrieved from: <https://www.congress.gov/116/plaws/publ283/PLAW-116publ283.pdf#page=1437> (Accessed January 20, 2022.)

<sup>2</sup> See: Congress.gov. Introduced February 8, 2021. "S.272 - Congressional Budget Justification Transparency Act of 2021." Retrieved from: <https://www.congress.gov/bill/117th-congress/senate-bill/272/text> (Accessed January 20, 2022.)

<sup>3</sup> For more, see: Protect Democracy. "Letter to OMB on Taxpayers Right-to-Know Implementation." November 29, 2021. Retrieved from: <https://protectdemocracy.org/update/letter-to-omb-on-taxpayers-right-to-know-implementation/> (Accessed January 20, 2022.)

<sup>4</sup> Congress.gov. "H.R.6628 - Congressional Power of the Purse Act." Introduced April 28, 2020. Retrieved from: <https://www.congress.gov/bill/116th-congress/house-bill/6628/text> (Accessed January 20, 2022.)

<sup>5</sup> See Title V - Reasserting Congressional Power of the Purse: Congress.gov. "H.R.5314 - Protecting Our Democracy Act." Introduced September 21, 2021. Retrieved from: <https://www.congress.gov/bill/117th-congress/house-bill/5314/text> (Accessed January 20, 2022.)

additional transparency and reporting around the budget apportionment process; enhancements to the Impoundment Control Act; additional capacity and authorities for the Government Accountability Office in its investigative work around budget and appropriations law compliance; a stronger Antideficiency Act; and National Emergencies Act reform. Though our organizations have different perspectives on the Protecting Our Democracy Act as a whole, we all strongly support passage of the reforms included in the Congressional Power of the Purse Act.

- **Overhaul of federal spending data collection and reporting (USA Spending):** Congress cannot fulfill its power of the purse obligations without the ability to effectively track how federal spending is implemented. The USA Spending system, while a step forward in spending transparency, is still riddled with gaps and inefficiencies. The system needs a fundamental overhaul. The DISASTER Act, a bipartisan bill recently introduced in both the House<sup>6</sup> and Senate,<sup>7</sup> is a first step toward this kind of overhaul, targeted specifically at the disaster spending system. If successful, the DISASTER Act model could be scaled up to facilitate a system-wide reformation and modernization of the way the federal government tracks and reports spending.
- **Access to Congressionally Mandated Reports Act:** Similar to commonsense transparency bills like the Taxpayers Right to Know Act and the Congressional Budget Justification Transparency Act, the Access to Congressionally Mandated Reports Act<sup>8</sup> would facilitate stronger and more effective congressional oversight by ensuring that Congress receives critical information from the executive branch regarding agency activities, outcomes, operational plans, and other similarly essential data. The bill has already been passed by the House<sup>9</sup> and has been successfully reported out of the Senate Homeland Security and Governmental Affairs Committee on a bipartisan basis.<sup>10</sup>

Thank you for all that you have already done to strengthen the congressional power of the purse and make federal spending more accountable and transparent for the American people. There is still much work to do on these issues, and we stand ready, willing, and able to assist in these efforts.

Sincerely,



Demand Progress



Freedomworks



Lincoln Network



National Taxpayers Union



Project on Government Oversight



Protect Democracy



R Street Institute



Taxpayers for Common Sense

<sup>6</sup> Congress.gov. "H.R.2052 - DISASTER Act of 2021." Introduced March 18, 2021. Retrieved from: <https://www.congress.gov/bill/117th-congress/house-bill/2052/text> (Accessed January 20, 2022.)

<sup>7</sup> Congress.gov. "S.3289 - DISASTER Act." Introduced December 1, 2021. Retrieved from: <https://www.congress.gov/bill/117th-congress/senate-bill/3289/text> (Accessed January 20, 2022.)

<sup>8</sup> Congress.gov. "H.R.2485 - Access to Congressionally Mandated Reports Act." Introduced April 13, 2021. Retrieved from: <https://www.congress.gov/bill/117th-congress/house-bill/2485/text> (Accessed January 20, 2022.)

<sup>9</sup> Ibid.

<sup>10</sup> Congress.gov. "S.2838 - Access to Congressionally Mandated Reports Act." Introduced September 23, 2021. Retrieved from: <https://www.congress.gov/bill/117th-congress/senate-bill/2838/text> (Accessed January 20, 2022.)