



U.S. House of Representatives
Washington, DC 20515

February 16, 2022

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

The Honorable Steny Hoyer
Majority Leader
U.S. House of Representatives
H-107, The Capitol
Washington, DC 20515

Dear Speaker Pelosi and Leader Hoyer:

On February 4, 2022, the U.S. House of Representatives voted on H.R. 4521, the America COMPETES Act of 2022, absent a Congressional Budget Office (CBO) estimate of the bill's budgetary impacts. This was not the first time the Majority scheduled a major piece of legislation for floor consideration without providing the American people with the information required under House Rules—authored by your own party—which require cost estimates for legislation considered by Congress. Just less than three months ago, the House considered H.R. 5376, the Build Back Better Act—a massive piece of legislation written behind closed doors by a few legislators and absent a true cost estimate, which CBO later confirmed was an unprecedented \$5 trillion.

As you are aware, clause 3(d)(1) of House Rule XIII requires the committee report accompanying legislation to include a cost estimate. Because there was no cost estimate available from CBO prior to House consideration and passage of H.R. 4521, the American people were denied critical information regarding the costs associated with the bill. This is extremely disconcerting and irresponsible. Moreover, H.R. 4521 included language exempting specific budgetary effects of the legislation from the Statutory Pay-As-You-Go scorecards—a clear signal that this legislation will likely have significant budgetary effects and costs to the taxpayer and yet another example of Democrat Leadership waiving their own budget rules and denying the American people transparency. Since the beginning of the 117th Congress, Congressional Democrats have waived clause 10 of House Rule XXI, the House PAYGO rule, 16 times. Congressional Democrats have consistently waived budget rules—since last year, budget rules have been waived nearly 50 times.

The costs of legislation should always be public and widely available before any vote is cast in the People's House. Americans deserve such transparency—given that it is ultimately their tax dollars that will finance the programs and policies called for in legislation. Once again, it is the practices under your leadership that have resulted in lawmakers voting on legislation absent full transparency of the bill's budgetary effects; to date, Congress still does not have an official CBO cost estimate of H.R. 4521.

As reported by the House Committee on Science, Space, and Technology, H.R. 4521 was originally 30 pages in length and included policies spanning the jurisdiction of three committees. However, the bill that was voted on by the House—having been completely rewritten once again behind

closed doors and introduced as a Rules Committee Print—consisted of nearly 3,000 pages of legislative text, included policies spanning 11 committees of jurisdiction that were not afforded the opportunity to mark up this legislation, and called for hundreds of billions in new federal spending, with the actual amount still unknown at this time.

Transparency on a bill’s budgetary and economic impacts is especially pertinent with the out-of-control government spending we have seen under the Democrat Majority. Since President Biden took office, House Democrats have passed more than \$7.5 trillion of new spending, which has further fueled the inflation crisis Americans are currently facing. Earlier this month, the U.S. Bureau of Labor Statistics (BLS) reported inflation has increased 7.5 percent over the last year, the largest increase in 40 years. Furthermore, under the policies of the Biden Administration and Congressional Democrats, the national debt would increase by an additional \$15 trillion over the next decade.

H.R. 4521 went from a 30-page bill coordinating federal research and development in engineering biology, to a 3,000-page partisan package masquerading as a China competition bill. Democrat Leadership forced a vote on this massive legislation while violating clause 3(d)(1) of the of House Rule XIII and exempting budgetary effects of this legislation from the Statutory Pay-As-You-Go scorecards. It is unacceptable that the House did not consider this major piece of legislation in an open and deliberative process, but rather circumvented budget rules and multiple committees of jurisdiction to quickly move such sweeping legislation. These actions were unnecessary—the Committee on Science, Space, and Technology reported more than a dozen bipartisan bills to strategically scale-up America’s research and development capabilities, to ensure the United States maintains its competitive edge against China. It is imperative for Congress to work in a bipartisan manner to counter the rising economic and national security threats from China. H.R. 4521 is counterproductive and not the answer.

We request that before the House goes to any conference with the Senate on the America COMPETES Act, that you ensure that CBO provides a full score on the enrolled bill. All Americans deserve to know the full cost estimate of the legislation before the start of any negotiations.

Sincerely,



Jason Smith
Ranking Member
Committee on the Budget



Frank Lucas
Ranking Member
Committee on Science, Space, and Technology

cc: The Honorable Phillip Swagel, Director, Congressional Budget Office