



Congress of the United States
House of Representatives

March 3, 2010

Sen. Alan Simpson and Mr. Erskine Bowles, Co-Chairmen
National Commission on Fiscal Responsibility and Reform
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Chairmen Bowles and Simpson:

Congratulations on your recent appointment to co-chair the National Commission on Fiscal Responsibility and Reform. While the recommendations ultimately made by the Commission will not be binding on the Congress, the Commission's scope of work includes critical issues directly related to the long-term fiscal health of our nation. In fact, you may know that Republicans have called on the President to support discretionary spending caps and act to cut spending now as a start to bringing the federal fiscal house in order. Republican Whip Eric Cantor (R-VA) and I have encouraged President Obama to use his presidential rescissions authority to force Congress to vote on spending cuts, and pledged to work with him to ensure these votes take place.

President Obama's Fiscal Year 2011 budget, however, instead continues to embrace the ruinous path which recent runaway spending has placed us on by doubling the debt in five years and tripling it by 2019 from fiscal year 2008 levels. While the President's budget includes a discretionary spending freeze, the freeze only applies to 13 percent of the budget and does not go into effect until next year. Rather than controlling the growth of entitlement programs the President's budget proposes a new \$1 trillion entitlement. Instead of meaningfully checking other spending, the budget relies on a "paygo" scheme that fails to keep the debt from soaring to 77.2 percent of GDP in 2020 by the President's own estimate. Clearly, real solutions rather than gimmicks are needed to reverse the reckless runaway spending that our children and grandchildren will be left to pay for.

President Obama committed that his Administration would create an unprecedented level of openness in government. **Assuming this level of openness extends to the critical proceedings of the Commission, does that mean the Federal Advisory Committee Act (FACA) will fully apply to the Commission and any subcommittees created by the Commission?** In creating other commissions, President Obama has explicitly referenced FACA, yet reference to the Act was omitted in the Executive Order creating the Commission.

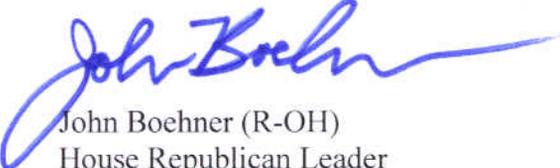
If it is your intent to have all proceedings of the Commission adhere to FACA, will the Commission notice all meetings in the *Federal Register* 15 days in advance, open all meetings to the public, and make all meeting minutes available for public inspection?

As the Commission is to have a staff headed by an Executive Director, will the Commission pick the Executive Director through a vote of its 18 members?

The Executive Order creating the Commission requires a vote on a “final report” by December 1, 2010. Vice President Biden publically disclosed that Senator Reid committed to bring the Commission’s recommendations to a vote in the Senate before the end of the 111th Congress – and, should the Senate pass the recommendations, that Speaker Pelosi would subsequently also schedule a vote before the end of the Congress. **Considering that a lame-duck Congress could conceivably vote on the Commission’s recommendations shortly after they are reported, would the Commission report its recommendations two months earlier – by October 1, 2010 – in order for the electorate to engage elected officials and candidates for office on the Commission’s report prior to the election?**

Your responses to these questions will be very helpful to the American people and to me as I consider my candidates for appointment to the commission. Thank you for your consideration of this letter, and for your response.

Sincerely,



John Boehner (R-OH)
House Republican Leader