

**Statement of the Honorable Jerrold Nadler, Ranking Member, House Judiciary  
Committee, before the Committee on House Administration’s Hearing on “Committee  
Funding for the 118th Congress”**

**February 28, 2023**

Chairman Steil, Ranking Member Morelle, and Members of the Committee, I am pleased to appear before you today to discuss the House Judiciary Committee’s funding request for the 118<sup>th</sup> Congress.

The House Judiciary Committee has historically been one of the most active committees in the House. Our wide jurisdiction—ranging from antitrust, immigration, and constitutional law, to issues relating to criminal justice, civil rights, and the courts—places us at the forefront of many of the most pressing issues facing our country today.

In fact, last Congress nearly 2,000 legislative measures were referred to the Committee, representing more than 16% of all bills introduced in the House. Under Democratic leadership, the Judiciary Committee held nearly 80 hearings, reported 83 bills and resolutions to the House, and had primary jurisdictional involvement in the passage of 110 bills and resolutions. Of these, we were able to enact 53 bills into law.

I hope that under the Republican Majority the Committee will continue to tackle difficult issues and solve problems with substantive hearings on meaningful legislation that moves to the House Floor in a bipartisan manner. So far, they have produced very little, but I remain hopeful.

With that in mind, I support the Majority’s request to increase funding for the 118<sup>th</sup> Congress. A funding increase will be critical to recruiting and hiring the staff we need to accomplish our important work, and to providing them with the resources they need to succeed. With so many pressing issues before our country, this funding increase is critical to allow us to continue to deliver results for the American people.

I understand that the Majority plans—after subtracting amounts to cover administrative expenses and salaries for shared employees—to allocate 2/3rds of the remaining funds to the Majority and 1/3rd to the Minority, to cover salaries. They also plan to maintain one shared employee for financial matters. This is in line with the Committee’s recent practice.

Having said that, I do have several concerns with the Majority’s request. Unfortunately, we were merely presented with a copy of their request roughly four hours before it was submitted, and they made no attempt to seek *any* input from the Minority. Since Chairman Jordan did not solicit our views, I hope to share some of our objections with you.

First, we strongly object to the funding of “**UP TO**” 50 staff slots and “**UP TO**” \$15 million for a new Select Subcommittee—that is greater than the *entire* Judiciary Committee budget, for which they request a little more than \$11 million.

If they really propose a \$15 million Subcommittee they should say so, but by asking for “UP TO” this amount, we have no idea of the real scope of this Select Subcommittee, which makes it impossible to plan for. And a budget, after all, is literally a plan to spend money. Apparently, they don’t have one.

We have other concerns that we hoped we would have been able to share with them. Had they asked, we might have advised them that the numbers they use for administrative expenses are exorbitant, especially coming from someone like Chairman Jordan who prides himself on being a fiscal conservative.

I ask you to look carefully at the numbers in their presentation and you will be shocked—as I was—that they are asking for double, triple, and, at times, even *30 times* more than what was actually spent last year.

For example, their travel budget is \$262,000—up from \$8,000 last year. That is a 30-fold increase. Their printing budget is up from just \$689 to \$20,000—a twenty-fold increase. They propose to triple the amount of money spent on so-called “other services” and they want to double the amount spent on supplies. They want almost \$350,000 for equipment. Last year we managed just fine by spending only \$65,000.

Now, maybe they really did a careful cost estimate and came up with these numbers. Unlikely, but maybe they did. Why do I bother mentioning it here? The answer is because all this administrative funding comes first—before they divide up the salaries. Therefore, it shrinks the amount of money going to the Minority to pay for personnel.

Was this on purpose? Probably not. But it does have a significant negative impact on the Minority—especially if that money, as I suspect, is never actually spent on the items that they say they plan to spend it on. Perhaps they could learn from our example and run a more efficient operation.

If we have a cooperative arrangement between the Chairman and Ranking member, then I am comfortable sharing administrative expenses. If the expenses are equally shared, and if the Majority supports the Minority’s efforts to use the funds as it sees fit, then it is ok to share. But, for example if the Republicans don’t want to pay for a HOPS system to track time off and we do, then we do not get to spend those funds. And what if they don’t want to pay for news sources they don’t agree with? And what if they don’t want to pay for computers or cell phones?

Recently, they rejected spending requests on the personnel side of the budget as well. In response to Question 3 in your questionnaire, they indicated that there were no restrictions on how the minority was allowed to utilize its personnel funds last Congress. And in response to Question 4, they indicated that the Committee would allocate funds to the minority in the same manner as in the 117<sup>th</sup> Congress. And yet, they have rejected personnel decisions by the Minority already this year. They have indeed placed restrictions on how we spend the money. They have argued that we would not be able to spend more than 1/12 the annual personnel budget in any given month. We believe this type of restriction is unprecedented. We would argue that so long

as we have not gone over the total budget for the year, they ought to allow us to spend those funds as we see fit – just as we did when we were in the majority.

Right now, we have no recourse if they reject our requests for expenses, even if our requests are rejected on a seemingly arbitrary basis. If that is the case, we do have a problem with the division of funds. If the division of funds is meant to enhance efficiencies by purchasing subscriptions in bulk, for example, that is fine. If it is used as a tool by the Majority to deny funds and resources to the Minority, then it is not a fair division of the funds.

The bottom line is that if we have a relationship where we are often not consulted and where our reasonable requests are denied—which has been the case so far—then we are less supportive of the plan to isolate the administrative expenses, and we would like to consider the idea of a more equal division of the administrative resources.

When a long-standing norm has been broken, then it is time to consider changing the practice. And we might be at that point now, unless the Chairman can promise all of us here today that he will not deny our requests to use administrative funds the way we want.

One more point about how the lack of consultation leads to unnecessary mistakes. In response to your excellent questionnaire, the Republicans said that they would provide \$2.9 million to the Minority for salaries. But they are asking for over \$10 million for salaries overall.

If we are supposed to get 1/3 of the salary money, as they profess, that number should be \$3.4 million, not the \$2.9 million that they indicate. That would have been very simple to correct had we been given the opportunity to carefully review the request in advance.

Similarly, in response to Question 7, they completely mischaracterized our budget from last Congress. They stated that we “had difficulty filling many of [our] positions due to the anticipated change in House leadership.” In fact, we purposely chose to be lean going into the midterms because we thought this was the most responsible and prudent approach, and we were still extremely effective.

It is very disappointing that they would make assertions that are not based in fact—especially when we could have easily corrected the record if they had given us the courtesy of meaningful consultation before submitting their report.

While I strongly agree with the Majority’s request for additional funding overall, I hope this committee will examine their request carefully and ensure that those funds are allocated in a responsible manner, with an emphasis on providing sufficient funds to hire the personnel we all rely on to do our jobs for the American people.

I hope it isn’t true for the sake of the institution, but if we assume the worst, it looks like Chairman Jordan may be using his budget in an unprecedented way as a weapon to harm minority basic functioning.

Thank you, and I look forward to taking your questions.