



Bipartisan Policy Center **Action**

May 1, 2025

The Honorable David Valadao
Chair
Appropriations Subcommittee on the
Legislative Branch
U.S. House of Representatives
Washington, D.C. 20510

The Honorable Adriano Espaillat
Ranking Member
Appropriations Subcommittee on the
Legislative Branch
U.S. House of Representatives
Washington, D.C. 20510

Dear Chair Valadao and Ranking Member Espaillat:

On behalf of the Bipartisan Policy Center and its (c)(4) affiliate, Bipartisan Policy Center Action, we are pleased to share our priorities for the House Legislative Branch Appropriations subcommittee for fiscal year 2026 appropriations bill. Supporting these programs will increase congressional capacity and help build a more capable legislative branch.

Rapidly rising debt and interest payments are slowing growth and making it more expensive for Americans to buy cars and homes, attend college, or pay off credit cards. To achieve fiscal sustainability, BPC recommends a continuation of the 2023 discretionary caps, enactment of program integrity reforms, and—outside the appropriations process—legislation to reduce the growth of mandatory program spending and increase federal revenue.

At the same time, BPC believes it is achievable to prudently invest in agencies and programs that expand opportunities for American families and businesses. With these principles in mind, BPC Action respectfully recommends:

Modernization Initiatives Account

The Modernization Initiatives Account (MIA) was created in FY2022 to support efforts identified by the bipartisan Select Committee on the Modernization of Congress. Initially appropriated at the \$2 million level, the fund was increased to \$10 million in FY2023, FY2024, and the House-approved FY2025 budget. This fund has allowed for the implementation of many technology-focused recommendations, including the bulk purchasing of e-Discovery tools for committees, development of a new committee portal, and creation of a legislative branch staff directory. The FY2025 full-year continuing resolution reduced the fund to \$2 million, potentially delaying full implementation of the Modernization Committee's recommendations. Funding the account at a robust level will lead to further workplace and workforce efficiencies within the legislative branch, allowing members to better serve the American people. To maximize potential benefits, we request the following:

- Funding: \$10 million in funding for MIA to support modernization projects.
- Requested Report Language:

The committee directs the Chief Administrative Officer (CAO) to compile a comprehensive report detailing the projects funded by the Modernization Initiatives Account since its establishment in FY2022. The report should include the name and status report on each active and completed project, as well as include a list of potential future projects that could make use of account funds. The CAO should collaborate with the House Administration Modernization & Innovation Subcommittee to identify all related Select Committee on the Modernization of Congress recommendations affiliated with each project named in the report.

Congressional Research Service

The recent Supreme Court decision in *Loper Bright Enterprises v. Raimondo* overturned forty years of the “Chevron deference doctrine,” which gave federal courts significant leeway in deferring to regulatory agencies’ interpretations of statutes. The decision means that agencies can no longer rely on implied delegations expressed in vague or ambiguous legislative language. In September 2024, BPC convened a bipartisan working group to examine the decision and its implications for Congress and administrative rulemaking. The working group’s [report](#) made numerous recommendations that the legislative branch should consider over the long term. As an initial step, we believe the Congressional Research Service can do more to help the legislative branch understand the new policymaking environment created post-*Loper*, and thus request the following:

- Requested Report Language:

The committee directs the American Law Division of the Congressional Research Service to update its existing research on judicial “canons of construction” by regularly compiling updates on how commonly used canons shape statutory interpretation and implementation by other branches of government. Reports should highlight how such canons and their use by other branches might be accounted for in legislative drafting.

- Requested Report Language:

To help Congress better evaluate whether legislation is needed to clarify an agency’s authority in certain areas, the committee directs the American Law Division of the Congressional Research Service to create and regularly maintain a report that compiles final and non-appealable judicial decisions that hold that the major questions doctrine has been violated. The report should include legislative drafting implications for Congress and how such decisions interact with other judicial rulings that concern legislation and delegation to agencies.

House Office of Legislative Counsel

As the subcommittee and those inside Congress are well aware, the demands placed on the House Office of Legislative Counsel (HOLC) continue to increase as drafting requests have skyrocketed. Likewise, the *Loper Bright* decision requires Congress to be more explicit in its delegations of authority and expressions of legislative intent. BPC Action encourages the



appropriation of additional funds and development of new resources that will allow HOLC to adequately meet these rising demands.

Congressional Committees

Congressional committees are the principal vehicle for examining problems, developing solutions, and refining legislation. In the wake of *Loper Bright*, these activities will only grow more critical; however, committee staffing and funding have declined over time. Congress cannot improve the legislative process—including expressing delegations more clearly and improving directions provided to agencies—without adequate committee resources. BPC Action encourages the appropriation of increased funds and development of new resources that would allow committees to expand their policy and legal expertise.

BPC Action commends your long-standing commitment to support projects such as those outlined above that contribute to the healthy functioning of the legislative branch. Ensuring that members of Congress and their staff have the tools and resources they need will help create a more efficient and effective government that is better able to serve the American people.

Thank you for your consideration, and if you have any questions, please reach out to Anna Przebinda, Manager for BPC Action, at aprzebinda@bpcaction.org.

Sincerely,



Michele Stockwell
President, Bipartisan Policy Center Action

