

# United States Senate

WASHINGTON, DC 20510

August 6, 2010

The Honorable Nancy Pelosi  
Speaker  
U.S. House of Representatives  
H232 Capitol  
Washington, DC 20515-6501


Dear Madam Speaker:

We are writing to urge you to remove previously House-passed language included in Sen. AMDT. 4575 that solely discriminates against our State. Again, this amendment singles out only the State of Texas. It would force Texas to certify the maintenance of fiscal year 2011 funding levels for two additional fiscal years, above and beyond the one-year requirement imposed on all other 49 States.

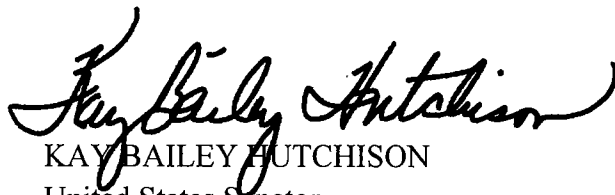
This provision would have Texas violate her own State Constitution. The Texas Legislature has sole authority to determine State appropriations. Moreover, one Legislature cannot bind a future Legislature. Requiring the State to assure that a future Texas Legislature would commit to spend funds in accordance with these provisions would violate the Texas Constitution. Texas is constitutionally prohibited from meeting these severe restrictions, and no other state in the nation is subject to these additional requirements.

According to the Congressional Research Service, the State's share of the \$10 billion is estimated to be over \$830 million. By adding the additional two-year requirement, the House language only punishes Texas students and teachers. Therefore, we urge you to strike the previous House-passed provision in the bill.

Sincerely,



JOHN CORNYN  
United States Senator



KAY BAILEY HUTCHISON  
United States Senator

Joe Barton

Joe Barton, MC

Michael Burgess

Michael Burgess, MC

Michael Conaway

Michael Conaway, MC

John Culberson

John Culberson, MC

Kay Granger

Kay Granger, MC

Jeb Hensarling

Jeb Hensarling, MC

Sam Johnson

Sam Johnson, MC

Kenny Marchant

Kenny Marchant, MC

Michael McCaul

Michael McCaul, MC

Randy Neugebauer

Randy Neugebauer, MC

Pete Olson

Pete Olson, MC

Ron Paul

Ron Paul, MC

Ted Poe

Ted Poe, MC

Pete Sessions

Pete Sessions, MC

Lamar Smith

Lamar Smith, MC

Mac Thornberry

Mac Thornberry, MC

Ralph M. Hall

Ralph Hall, MC

John R. Carter

John Carter, MC



---

Louie Gohmert, MC



---

Kevin Brady, MC