
CRS Report for Congress

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Committee Funding Resolutions and Processes, 106th Congress

Updated November 3, 1999

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ABSTRACT

The standing and select committees of the House and Senate (except the Appropriations Committees) receive their operational budget funding through omnibus funding resolutions normally considered in the first session of each Congress. Controversies about committee budgets focus on the relative growth rate of committee operating costs and the relative proportion of staff and operating funds granted to the minority party on each committee. This report describes the procedures under which committee funding resolutions are considered in the two chambers, and 106th Congress action to review and approve committee operating budgets. Also noted are changes in the Senate's committee funding processes to move from a session-based biennial funding process to one more closely matched to a fiscal year cycle. Tables at the end of the report show funds approved for the 105th Congress, and the funds requested, recommended, and approved for the 106th Congress for each House and Senate committee. This report will be updated periodically to reflect House and Senate actions affecting committee operating budgets.

Committee Funding Resolutions and Processes, 106th Congress

Summary

All House and Senate standing and select committees (except the Appropriations Committees) receive their operating budgets through House and Senate approval of biennial funding resolutions. These resolutions provide the funds with which committees hire staff, employ temporary consultants, pay for office equipment and supplies, defray the cost of member and staff travel on committee business, and meet other miscellaneous costs. The House of Representatives agreed to an omnibus funding resolution (H.Res. 101) for its committees on March 23, 1999. In February 1999, the Senate agreed to two resolutions continuing 1998 funding levels through September 1999.

On September 15, 1999, the Senate Rules and Administration Committee ordered reported an original resolution (S. Res. 189) providing funding for Senate committees (except the Appropriations Committee) from October 1, 1999 through February 28, 2001. Earlier, funds for Senate committees for FY2000 were included in the Legislative Branch Appropriations Act (P.L. 106-57); however, action on the funding resolution was still needed to approve the allocation to each Senate committee (except the Appropriations Committee) of these appropriated funds. The funding resolution also authorized funds for part of FY2001. The Senate agreed to S. Res. 189 by voice vote on September 29, 1999.

Long-standing disputes about the equitable apportionment of staff positions and operating funds between the parties have been a feature of House funding debates over the past quarter century. Conversely, because Senate rules provide more explicit authority for the Senate minority party to control at least one-third of the committee staff positions and funding, action in that chamber to approve committee operating budgets is normally not controversial.

Since the 105th Congress, House funding resolutions have also included provisions establishing a reserve fund, part of the overall funding for committees held in reserve to defray unanticipated committee expenses. The use of this reserve fund and the processes by which funds are released from it have, on occasion, been causes of dispute between the parties in the House. Although the Senate established a modified form of this reserve process in 1989, a formally designated reserve fund was not set up until the 105th Congress. Not until the 106th Congress did the Senate funding resolution expressly set a limit (\$3.7 million) on funds to be placed in the reserve account.

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Committee Funding Resolutions and Processes, 106th Congress

All standing and select committees of both chambers of Congress (except for the Appropriations Committees) obtain their operating budgets pursuant to a biennial committee funding resolution. Often, House action on these funding resolutions is controversial, owing to disputes over the allocation of staff positions between the majority and minority parties on committees. Senate action is normally not so controversial owing to stronger guarantees in Senate rules providing at least one-third of committee staff and funds to the minority. Many members in both chambers criticize funding recommendations which significantly exceed the rate of inflation, or provide funds to particular committees to support work by a committee with which these members disagree. The House of Representatives agreed to an omnibus funding resolution (H.Res. 101) on March 23, 1999.

The Senate took action in February 1999 to continue funding through September for its committees. This temporary funding action provided funds based on the level the Senate set for 1998 (adjusted to reflect staff salary COLAs, and other administrative cost changes).

The Senate Rules and Administration Committee ordered reported on September 15, 1999, an omnibus committee funding resolution (S. Res. 189) providing funding authorizations for all Senate committees (except the Appropriations Committee) from October 1, 1999 through February 28, 2001. The Senate agreed to the resolution by unanimous consent on September 29, 1999.

House Floor Action

The House approved H.Res. 101 on March 23, 1999 by a yea-and-nay vote of 216-210, after first agreeing, by voice vote, to the committee amendment in the nature of a substitute. Representative Steny Hoyer, the ranking Democrat on the House Administration Committee, offered a motion to recommit which would have guaranteed the minority party control over one-third of the funds provided to each committee by the resolution, including money earmarked for the reserve fund. A yea-and-nay vote of 205-218 defeated the Hoyer motion.¹

The committee funding resolution was called up as privileged business under the rules of the House. Such business may be called up and considered by the House without the need for a special rule from the Rules Committee. Privileged funding resolutions are considered in the House under the one-hour rule. Typically, the majority party manager does not yield the floor to permit amendments to be offered

¹ *Congressional Record* (daily edition), vol. 145, March 23, 1999, pp. H1556-H1567.

(the committee-reported amendment in the nature of a substitute is automatically laid before the House.) At the end of one hour of debate, the majority party manager moves the previous question and, if agreed to, the House votes on final passage of the resolution. Before the vote on final passage, it has become customary for the minority party to offer a motion to recommit the funding resolution. Such a motion normally permits the minority to offer an alternative funding proposal and to obtain a vote on it by the House.

Action under the one-hour rule is affected by the previous question motion. Such motion is normally offered at the expiration of debate time and has the effect of blocking additional debate and prohibiting the offering of any amendment, or any additional amendments. However, if the House defeats the previous question motion, precedents require the recognition of a minority party representative who may offer an amendment to the pending funding resolution, or to an amendment to it. That minority amendment, in turn, would be debated under the one-hour rule, as well.

In previous years, the House Administration sometimes sought a special rule from the Rules Committee to alter the parliamentary processes under the one-hour rule, to permit amendments to be offered, or for some other reason. The House Administration Committee did not seek a special rule for the consideration of H.Res. 101. In past Congresses, however, such special rules have been sought on House committee funding resolutions, providing additional opportunities to influence the parliamentary procedures under which the resolutions were considered. During the 105th Congress, the special rule making the consideration of the funding resolution in order was defeated. This forced the House to pass an interim funding resolution until a regular two-year funding resolution could be passed in May 1997.

Alternatively, the minority party may lead efforts to defeat the previous question motion ending debate on the special rule. By defeating the previous question motion, the minority members of the Rules Committee are entitled to offer an amendment to the special rule, an amendment which typically expands floor amendment opportunities. In recent Congresses, it has become more common for the House minority to offer motions to recommit the funding resolution so as to offer additional proposed changes to the funding resolution and obtain a recorded vote on them. On still other occasions, the House has defeated committee funding resolutions, forcing the House Administration Committee to revise its funding recommendations for one or more House committees and to bring such new resolutions back before the House for its consideration.

House Committee Action

On March 16, 1999, the House Administration Committee ordered H.Res. 101 reported with an amendment in the nature of a substitute. (H.Rept. 106-72, filed March 22, 1999). The substitute, characterized by acting chairman, Representative John Boehner, as a “leadership” substitute, reflected discussions among House Administration Committee Republican members, committee chairmen, and Republican party leaders. The substitute was agreed to on a party-line vote after similar votes had defeated amendments offered by Representative Steny Hoyer, the ranking committee Democrat, to alter the procedures for transferring reserve funds to

committees and to require a minimum one-third staff allocation to the minority party on all committees funded through the resolution.

On March 9, 1999, House Administration Committee Chairman, Representative Bill Thomas, introduced H.Res. 101, an omnibus House committee funding resolution incorporating the amounts requested by the House committees to which the funding process was applicable. Previously, the committee held two days of hearings at which committee chairs and ranking minority members testified on the operating budget requests submitted by each funded House committee.

House Funding Procedures and Issues

Under House Rule X, clause 6, each standing and select committee of the House (except the Appropriations Committee) is required to submit an operating budget request for its necessary expenses over the two years of a Congress. The budgetary requests include estimated salary needs for staff, costs of consulting services, printing costs, office equipment and supply, and travel costs for committee members and staff. Some costs (such as pension and insurance contributions for committee employees) are not directly billed to the committee and paid from other appropriated funds. Individual committee requests are then packaged by the House Administration Committee into an omnibus “primary expense resolution.”

Clause 6(c) requires that “the minority party (be) treated fairly in the appointment” of committee staff employed pursuant to such expense resolutions. Prior to the 104th Congress, House rules provided a base level of thirty so-called “statutory” staff positions for all House standing committees (except the Appropriations Committee). Funds for these staff were provided through a line-item appropriation and not included in the funding resolutions reported from the House Administration Committee. In the 104th Congress, House rules were changed (1) to provide for biennial committee funding resolutions, and (2) to include funding authorization for the baseline 30 staff positions in each committee’s funding authorization. (As before, these provisions were not made applicable to the House Appropriations Committee). Twenty of these staff positions are allotted to the committee majority and ten to the committee minority. The House majority leadership has encouraged its committee leaders to move as quickly as possible to provide the minority with one-third of the remaining committee staff and resources authorized in the biennial funding resolutions.

There have been disputes about the interpretation of funding and staffing guidelines for the minority. Some committees consider equitable the apportionment of one-third of staff salary funds, while others consider the one-third standard to apply to the number of staff positions regardless of salary. Some committees say those administrative staff providing services to both parties should be excluded from the minority-majority staff allocation, although most such administrative staff may be majority party staff designees. There are also disparities among committees on the allocation of office space, travel funds, and office equipment. Nevertheless, both parties seem to agree that, since the 103rd Congress, the minority party has been treated more equitably than before in the allocation of House committee staff and resources. The major dispute between the parties now focuses on the speed with which all committees achieve, or plan to achieve, this one-third standard.

Senate Committee Funding Action, 106th Congress

Senate committee funds are also provided through one omnibus expense resolution containing money for both sessions of a Congress. The omnibus, two-year funding cycle applied to all Senate standing and select committees until 1998, when the Senate Appropriations Committee (like its House counterpart) was exempted from this process. (The Senate Appropriations Committee had been exempt from the normal committee funding process until 1981, and then was covered by it from 1981 up through the beginning of FY1999).

There has been concern in the Senate about the managerial problems associated with providing authorization for committee operating costs for the two years of a Congress, with funds essentially provided on an annual session basis, while appropriating funds for Senate committees and other Senate operations on a single, fiscal year basis. This process regularly creates a situation in which the Senate has authorized committee funds for periods which span all or part of three fiscal years. When the Appropriations Committee regained its independent funding status, its committee operations funds were provided on a fiscal year basis through a line-item in the annual legislative branch appropriations act.

The Senate took several steps in 1999 to move to a biennial funding process which more clearly reflects a fiscal year orientation. In February 1999, the Senate took short-term action to move to a fiscal year funding cycle. On February 12, the Senate agreed to S.Res. 38, offered by Senators Mitch McConnell and Christopher J. Dodd (the chairman and ranking minority member of the Committee on Rules and Administration), waiving the rules of the Senate to permit the offering of a continuing committee funding resolution for the period from March 1, 1999 through September 30, 1999. On February 24, Senators McConnell and Dodd offered such a continuing funding resolution (S.Res. 49) stipulating funding amounts for each Senate standing and select committee for the seven-month period, based on funds authorized for 1998, modified to accommodate 1999 cost-of-living adjustments. Both measures were called up and considered by unanimous consent, were approved by voice vote, and were not formally reported to the Senate by the Committee on Rules and Administration.²

On June 14, 1999, Senators McConnell and Dodd submitted and the Senate considered and agreed to by unanimous consent a resolution (S.Res. 122) directing Senate committees (except Appropriations) to submit funding requests by July 15, 1999 and permitting the Senate Rules and Administration Committee later to report an omnibus funding resolution covering the period from October 1, 1999 through March 28, 2001. The resolution was necessary to waive provisions in Senate Rule XXVI prohibiting Senate committees from reporting funding resolution requests and the Rules and Administration Committee from reporting an omnibus funding resolution later than the end of February.

² *Congressional Record* (daily edition), vol. 145, Feb. 12, 1999, p. S1651, Feb. 24, 1999, pp. S1966-S1967.

On September 15, 1999, the Senate Rules and Administration Committee ordered reported an original resolution (S. Res. 189) providing funding for Senate committees (except the Appropriations Committee) from October 1, 1999 through February 28, 2001. The committee report (S. Rept. 106-164) was filed on September 27, 1999. By unanimous consent, the Senate took up and agreed to S. Res. 189 by voice vote on September 29, 1999.³

Earlier, the Senate approved an appropriation of \$78.1 million for Senate committees for FY2000, including \$6.5 million for the Senate Appropriations Committee and \$71.6 million for all other Senate committees. The Legislative Branch Appropriations Act was signed by the President on September 29, 1999 (P.L. 106-57). Although an appropriation for committees had been already approved, action on the Senate's funding resolution was necessary to approve the allocation of funds to particular committees within the overall appropriation total.

³ *Congressional Record* (daily edition), vol. 145, September 29, 1999, pp. S11656-S11661.

Table 1. House Committee Funding Data, 105th-106th Congresses

Committees	105th Congress Total, Approved	106th Congress Total, Requested	106th Congress, Total, Reported	106th Congress, 1st Session	106th Congress, 2nd Session	106th Congress Total, Approved
Agriculture	\$7,656,162	\$8,564,493	\$8,414,033	\$4,101,062	\$4,312,971	\$8,414,033
Armed Services	\$9,721,745	\$10,599,855	\$10,342,681	\$5,047,079	\$5,295,602	\$10,342,681
Banking	\$8,901,617	\$9,725,255	\$9,307,521	\$4,552,023	\$4,755,498	\$9,307,521
Budget	\$9,940,000	\$9,940,000	\$9,940,000	\$4,970,000	\$4,970,000	\$9,940,000
Commerce	\$14,535,406	\$15,537,415	\$15,285,113	\$7,564,812	\$7,720,301	\$15,285,113
Education and Workforce	\$10,125,113	\$12,382,569	\$11,200,497	\$5,908,749	\$5,291,748	\$11,200,497
Government Reform	\$20,020,572	\$21,028,913	\$19,770,233	\$9,773,233	\$9,997,000	\$19,770,233
House Administration	\$6,050,349	\$6,307,220	\$6,251,871	\$2,980,255	\$3,271,616	\$6,251,871
International Relations	\$10,368,358	\$11,659,355	\$11,313,531	\$5,635,000	\$5,678,531	\$11,313,531
Judiciary	\$10,604,041	\$13,575,939	\$12,152,275	\$5,787,394	\$6,364,881	\$12,152,275
Resources	\$9,876,550	\$11,270,338	\$10,567,908	\$5,208,851	\$5,359,057	\$10,567,908
Rules	\$4,649,102	\$5,069,424	\$5,069,424	\$2,488,522	\$2,580,902	\$5,069,424
Science	\$8,677,830	\$9,018,326	\$8,931,726	\$4,410,560	\$4,521,166	\$8,931,726
Small Business	\$3,906,941	\$4,399,035	\$4,148,880	\$2,037,466	\$2,111,414	\$4,148,880
Standards	\$2,456,300	\$2,860,915	\$2,632,915	\$1,272,416	\$1,360,499	\$2,632,915
Transportation and Infrastructure	\$12,184,459	\$14,539,260	\$13,220,138	\$6,410,069	\$6,810,499	\$13,220,138
Veterans' Affairs	\$4,344,160	\$5,220,900	\$4,735,135	\$2,334,800	\$2,400,335	\$4,735,135
Ways and Means	\$11,036,907	\$11,960,876	\$11,930,338	\$5,814,367	\$6,115,971	\$11,930,338
Permanent Select Intelligence	\$4,815,526	\$5,369,030	\$5,164,444	\$2,514,916	\$2,649,528	\$5,164,444
Reserve Fund	\$7,000,000		\$3,000,000			\$3,000,000

Note: Data taken from committee funding resolutions for the particular Congresses. Funds provided for temporary select committees not in existence for the 106th Congress are excluded. Renamed committees are listed according to their current names.

Table 2. Senate Committee Funding Data, 105th-106th Congresses

Committees	105th Congress Total, Approved	106th Congress, 10/1/99 - 9/30/00	106th Congress, 10/1/00 - 2/28/01	106th Congress Total Approved, 17 months
Agriculture, Nutrition and Forestry	\$3,598,024	\$2,118,150	\$903,523	\$3,021,673
Armed Services	\$5,572,267	\$3,796,030	\$1,568,418	\$5,364,448
Banking, Housing and Urban Affairs	\$5,877,053	\$3,160,739	\$1,348,349	\$4,509,088
Budget	\$6,400,221	\$3,449,315	\$1,472,442	\$4,921,757
Commerce, Science and Transportation	\$7,103,272	\$3,823,318	\$1,631,426	\$5,454,744
Energy and Natural Resources	\$5,434,380	\$2,924,935	\$1,248,068	\$4,173,003
Environment and Public Works	\$5,005,429	\$2,688,097	\$1,146,192	\$3,834,389
Finance	\$6,234,894	\$3,762,517	\$1,604,978	\$5,367,495
Foreign Relations	\$5,585,034	\$3,158,449	\$1,347,981	\$4,506,430
Governmental Affairs	\$9,339,400	\$5,026,582	\$2,144,819	\$7,171,401
Health, Education, Labor and Pensions	\$8,474,547	\$4,560,792	\$1,946,026	\$6,506,818
Judiciary	\$8,991,557	\$4,845,263	\$2,068,258	\$6,913,521
Rules and Administration	\$3,210,626	\$1,647,719	\$703,526	\$2,351,245
Small Business	\$2,233,252	\$1,330,794	\$567,472	\$1,898,266
Veterans' Affairs	\$2,314,620	\$1,246,174	\$531,794	\$1,777,968
Select Committee on Aging	\$2,333,851	\$1,459,827	\$622,709	\$2,082,536
Select Committee on Indian Affairs	\$2,352,126	\$1,260,534	\$537,123	\$1,797,657
Select Committee on Intelligence	\$4,358,289	\$2,674,687	\$1,141,189	\$3,815,876
Reserve Fund		\$3,700,000	\$1,600,000	\$5,300,000

Note: Data taken from committee funding resolutions for the particular congresses. Funds provided for temporary select committees not in existence for the 106th Congress are excluded. Renamed committees are listed according to their current names. The reserve fund was first authorized in the 105th Congress, but itemized amounts for it were not included in the funding resolution until the 106th Congress.

