

CRS Report for Congress

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Committee Funding Resolutions and Processes, 106th Congress

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ABSTRACT

The standing and select committees of the House and Senate (except for the Appropriations Committees) receive their operational budget funding through omnibus funding resolutions considered early in the first session of each Congress. Controversies about committee budgets tend to focus on the relative growth rate of committee operating costs and the relative proportion of staff and operating funds made available for the minority party on each committee. This report describes the procedures under which committee funding resolutions are considered in the two chambers. A table at the end of the report shows funds approved for the 105th Congress, and the funds requested, recommended, and approved for the 106th Congress for each House committee. The Senate agreed to temporary funding extensions for its committees pending a decision to shift to a fiscal year-based funding process. 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 for 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. Later this year, the Senate may move to a funding cycle matching the fiscal year, rather than the session year.

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

Since the 105th Congress, House funding resolutions have also included provisions establishing a reserve fund, a portion 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 are likely to be issues of controversy in the House.

Opposition to the funding resolution may take several forms on the House floor. In 1999, the funding resolution was called up on the House floor as a privileged matter under the one-hour rule. The floor manager normally does not permit any floor amendments to be offered. Opponents may try to defeat the funding resolution, or amendments to it, outright. They could also seek to defeat the previous question motion on ending debate, thereby permitting opponents to offer an amendment without the concurrence of the majority floor manager.

Contents

House Floor Action	1
House Committee Action	2
House Funding Procedures and Issues	3
Senate Committee Funding Action, 106 th Congress	3

List of Tables

Table 1. House Committee Funding Data, 105 th -106 th Congresses	5
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Committee Funding Resolutions and Processes, 106th Congress

All standing and select committees of both chambers of Congress obtain their operating budgets pursuant to a biennial committee funding resolution. Often, House or Senate action on these funding resolutions is controversial, owing to disputes over the allocation of staff positions between the majority and minority parties on committees. Many members 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 at the same level the Senate set for 1998 (adjusted to reflect staff salary COLAs); during this period of temporary funding, the Senate is likely to consider proposals to change its funding period to coincide with the fiscal year instead of its current session year basis.

House Floor Action

The House approved H.Res. 101 on March 23, 1999 by a yea-and-nay vote of 216-210 after agreeing, by voice vote, to the amendment in the nature of a substitute reported by the House Administration Committee. Earlier 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. The Hoyer motion was defeated by a yea-and-nay vote of 205-218. (*Congressional Record*, daily edition, vol. 145, March 23, 1999, pp. H1556-H1567).

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 (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 proceeds to vote 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

stopping further debate and prohibiting the offering of any amendment, or any further amendments. However, if the previous question motion is defeated, House 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 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 for 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 are defrayed by 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. House rules were formerly more precise, assuring the minority party in standing committees of one-third of the base thirty staff positions then authorized for each House committee, with additional staff hired under funding resolutions allotted to the minority without a precise formula. The House majority leadership has encouraged its committee leaders to move as quickly as possible to provide the minority with one-third of the committee staff and resources.

The absence of clear rules language on this subject has led to different measurement standards among different House committees. 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 that administrative staff providing services to both parties should be excluded in the minority-majority staff allocation, although the great percentage of such administrative staff may be majority party staff designees. There are equal 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 FY 1999).

There has been some 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 actually 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.

In February 1999, the Senate took short-term action which could eventually lead to a modification of the Senate's current committee funding process. 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. In the case of both resolutions, the 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. (*Congressional Record* (daily editions) vol. 145, Feb. 12, 1999, p. S1651, Feb. 24, 1999, pp. S1966-S1967.)

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.