



Legislative Branch: FY2008 Appropriations

(name redacted)

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Summary

From beginning of the fiscal year on October 1, 2007, until the enactment of the Consolidated Appropriations Act on December 26, 2007, funding for the legislative branch was provided through a series of interim continuing appropriations measures. The first, which was signed by President Bush on September 29, 2007, provided funding at FY2007 levels through November 16, 2007. Three additional continuing appropriations measures were enacted on November 13, December 14, and December 21, 2007.

Legislative branch entities requested \$4.3 billion in new budget authority for FY2008. The House version of the FY2008 Legislative Branch Appropriations Bill, H.R. 2771, was introduced on June 19, 2007. The bill proposed \$3.1 billion in new budget authority for the legislative branch for FY2008, not including Senate items. This amount reflects a 4.1% increase over the \$2.98 billion (including the FY2007 supplemental but not including Senate items) approved by Congress for FY2007 and less than the 13% increase requested.

The Senate version of the FY2008 Legislative Branch Appropriations Bill, S. 1686, was reported to the Senate on June 25, 2007. The bill would have provided approximately \$2.78 billion in new budget authority, not including House items. This amount reflects an increase of 5.2% over the nearly \$2.65 billion (including the FY2007 supplemental but not including House items) approved by Congress for FY2007 and less than the 16% increase requested.

By comparison, in FY2007, overall legislative branch budget authority was increased by approximately 1.5% (including supplemental appropriations), which had followed a 4.2% increase in new budget authority for FY2006 and a 3.1% increase approved for FY2005.

Among issues that were considered during discussions on the FY2008 budget are the following:

- completion of the Capitol Visitor Center and consideration of the Architect of the Capitol's request for an additional \$20 million for this project;
- the renaming of the "Great Hall" of the Capitol Visitor Center;
- repair of the Capitol Power Plant tunnels and the role of the Office of Compliance in monitoring progress on this effort;
- funds requested to support the "Greening of the Capitol" initiative and the use of alternative fuels;
- the merger of the U.S. Capitol Police and the Library of Congress Police;
- funding for the acquisition of new technology for the "Books for the Blind" program; and
- the future of the Open World Leadership Program.

This report will be updated to reflect major congressional action.

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Most Recent Developments

The FY2008 Consolidated Appropriations Act, which was enacted on December 26, 2007, provides \$3.97 billion in new budget authority for the legislative branch.¹ This total includes an across-the-board rescission of 0.25% which was applied to accounts within the legislative branch division of the act.

From the beginning of the fiscal year on October 1, until the enactment of the consolidated bill (H.R. 2764), the legislative branch was funded by a series of continuing appropriations resolutions. On September 29, 2007, the President signed into law P.L. 110-92.² The law provided for continued funding for most federal activities, including the legislative branch, at FY2007 levels through November 16, 2007. P.L. 110-116, which was enacted on November 13, continued this funding through December 14, 2007. P.L. 110-137, enacted on December 14, 2007, and P.L. 110-149, enacted on December 21, 2007, also provided continuing funding for the legislative branch prior to the enactment of the Consolidated Appropriations Act. These laws also provided gratuity payments to the survivors of a total of four deceased Members.

Prior to the consideration of the consolidated appropriations measure, both the Senate and House of Representatives considered separate legislation funding the legislative branch for FY2008. S. 1686, the Senate version of the FY2008 Legislative Branch Appropriations Bill, was reported to the Senate on June 25, 2007. The bill, which proposed nearly \$2.78 billion in new budget authority (not including House items), had been marked up by the Senate Committee on Appropriations on June 21. At the markup, the committee voted unanimously to report the bill without amendment.

H.R. 2771, the House version of the FY2008 Legislative Branch Appropriations Bill, was introduced on June 19, 2007, following the House Committee on Appropriations markup on June 12 and the subcommittee markup on June 6. The House bill would have provided \$3.1 billion in new budget authority (not including Senate items). The bill, with two amendments, passed the House on June 22 with a roll call vote of 216-176.

Introduction to the Legislative Branch Appropriations Bill

Since FY2003, the annual legislative branch appropriations bill has usually contained two titles. Appropriations for legislative branch agencies are contained in Title I. These entities, as they have appeared in the annual appropriations bill, are the Senate; House of Representatives; Joint Items;³

¹ P.L. 110-161; Dec. 26, 2007. A conference report on H.R. 2764 was not issued. Representative David Obey, Chairman of the House Appropriations Committee, inserted explanatory materials into the *Congressional Record* of December 17 providing detailed tables on the discretionary spending included in the bill. Information on the legislative branch was included on pages H16371-H16380. Figures throughout this report are derived from the Chairman Obey's explanatory materials but will be updated if additional information becomes available.

² P.L. 110-92; Sept. 29, 2007; 121 Stat. 989.

³ Funded within the Joint Items account are the Joint Economic Committee, Joint Committee on Taxation, Office of the Attending Physician, Capitol Guide Service and Special Services Office, and Statements of Appropriations. The Special Services Office, within the Capitol Guide Service, provides accessible and sign-language guided tours of the (continued...)

Capitol Police; Office of Compliance; Congressional Budget Office; Architect of the Capitol, including the Capitol Visitor Center; Library of Congress, including the Congressional Research Service; Government Printing Office; Government Accountability Office; and Open World Leadership Program.

Title II contains general administrative provisions and, from time to time, appropriations for legislative branch entities. For example, Title II of the FY2003 Act, P.L. 108-7, contained funds for the John C. Stennis Center for Public Service Training and Development and for the Congressional Award Act.

On occasion the bill may contain a third title for other provisions. For example, Title III of the FY2006 legislative branch appropriations act, P.L. 109-55, contained language providing for the continuity of representation in the House of Representatives in “extraordinary circumstances.”

Changes in Structure of Legislative Branch Appropriations Effective in FY2003

Prior to enactment of the FY2003 bill, and effective in FY1978, the legislative branch appropriations bill was structured differently. Title I, Congressional Operations, contained budget authority for activities directly serving Congress. Included in this title were the budgets of the Senate; House of Representatives; Joint Items; Office of Compliance; Congressional Budget Office; Architect of the Capitol, except funds for Library of Congress buildings and grounds; Congressional Research Service, within the Library of Congress; and congressional printing and binding activities of the Government Printing Office.

Title II, Related Agencies, contained budget authority for activities considered by the Committee on Appropriations not directly supporting Congress, including those for the Botanic Garden; Library of Congress (except the Congressional Research Service, which was funded in Title I); Library of Congress buildings and grounds maintained by the Architect of the Capitol; Government Printing Office (except congressional printing and binding costs, which were funded in Title I); and Government Accountability Office, formerly named the General Accounting Office. Occasionally, from FY1978 through FY2002, the annual legislative appropriations bill contained additional titles for such purposes as capital improvements and special one-time functions.

Activities and Programs Related to the Legislative Branch but Not Funded in the Legislative Branch Appropriations Bill

In addition to activities funded in the annual legislative branch appropriations bill, funds are contained in the legislative branch section of the *U.S. Budget* for other programs and entities. These include permanent budget authority for both federal funds and trust funds and for non-legislative entities.

(...continued)

Capitol. The Statement of Appropriations account funds preparation of appropriations statements for each calendar year. These statements contain enacted appropriations, indefinite appropriations, authorized contracts, and a history of annual appropriations required by law.

Permanent federal funds and permanent trust funds are available as the result of previously enacted legislation and do not require annual action.⁴ Permanent federal funds and trust funds are included in the *U.S. Budget*, prepared by the Office of Management and Budget. The *U.S. Budget* also contains non-legislative entities within the legislative branch budget. They are funded in other appropriation bills, but are counted as legislative branch funds by the Office of Management and Budget for bookkeeping purposes.⁵

For another picture of the legislative branch budget, the total legislative branch request of \$4.8 billion in the *FY2008 U.S. Budget* must be adjusted. When reflecting only items contained in the annual legislative branch appropriation bill, the funding request for the legislative branch is \$4.3 billion.

Reestablishment of House Subcommittee on Legislative Branch for the 110th Congress

Prior to the 109th Congress, the legislative branch appropriations bill was handled by the House Subcommittee on Legislative Branch, Committee on Appropriations. Under a House Appropriations Committee reorganization plan released on February 9, 2005, the subcommittee was abolished and its jurisdiction assumed by the full Appropriations Committee. Although changes were made in the structure of the Senate Committee on Appropriations, announced in March 2005, the Subcommittee on Legislative Branch was retained. Under a reorganization plan announced by the House Appropriations Committee on January 4, 2007, the House Subcommittee on Legislative Branch was reestablished for the 110th Congress.⁶

⁴ Estimated FY2008 permanent federal funding authority in the legislative branch section of the *U.S. Budget* is \$461 million, and comprises House member pay (\$98 million); Senate member pay (\$23 million); House and Senate use of foreign currencies (for use of Members traveling in foreign countries) (\$25 million); Judiciary office building development and operations fund (\$-2 million); and Library of Congress payments to copyright owners (\$317 million). FY2008 estimated permanent trust fund authority is \$18 million, comprising the Library of Congress gift and trust fund account (\$14 million); U.S. Tax Court trust fund (\$1 million); John Stennis Center (\$2 million); and “Other Legislative Branch Agencies” (\$1 million), which includes the U.S. Capitol Preservation Commission trust funds (\$1 million). Source: *Analytical Perspectives, Budget of the United States Government, FY2008*, Table 28—Federal Programs by Agency and Account (Washington: GPO, 2007), pp. 3-8. (Figures are rounded to the nearest million).

⁵ The *FY2008 U.S. Budget* contains \$57 million in federal funds for non-legislative entities under two headings: (1) “U.S. Tax Court” (\$45 million); and (2) “Other Legislative Branch Agencies, Legislative Branch Boards and Commissions” (\$12 million), which includes the United States-China Economic and Security Review Commission (\$4 million), the Commission on International Religious Freedom (\$3 million), and other legislative branch boards and commissions (\$5 million). The \$57 million figure does not contain \$14 million listed in the *U.S. Budget* for the Open World Leadership Center. Source: *Analytical Perspectives, Budget of the United States Government, FY2008*, Table 28—Federal Programs by Agency and Account (Washington: GPO, 2007), pp. 3-8. (Figures are rounded to the nearest million).

⁶ “Senate, House Appropriations Set Subcommittee Plans for New Congress,” House Appropriations Committee press release, January 4, 2007, available at http://appropriations.house.gov/press_releases.aspx. For additional information on subcommittee history, see CRS Report RL31572, *Appropriations Subcommittee Structure: History of Changes from 1920-2007*, by (name redacted).

Table I. Legislative Branch Appropriations, FY1995 - FY2007(budget authority in billions of current dollars)^a

| 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 |
|-------|-------|-------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| 2.184 | 2.203 | 2.288 | 2.581 ^b | 2.486 ^c | 2.730 ^d | 3.252 ^e | 3.461 ^f | 3.528 ^g | 3.640 ^h | 3.793 ⁱ | 3.852 ^j |

- a. These figures represent current dollars, exclude permanent budget authorities, and contain supplementals and rescissions. Permanent budget authorities are not included in the annual legislative branch appropriations bill, but rather, are automatically funded each year.
- b. Includes budget authority contained in the FY1999 Legislative Branch Appropriations Act (P.L. 105-275), the FY1999 emergency supplemental appropriation (P.L. 105-277), and the FY1999 supplemental appropriation (P.L. 106-31).
- c. Includes budget authority contained in the FY2000 Legislative Branch Appropriations Act (P.L. 106-57); a supplemental and a 0.38% rescission in P.L. 106-113; and supplementals in P.L. 106-246 and P.L. 106-554.
- d. This figure contains: (1) FY2001 appropriations contained in H.R. 5657, legislative branch appropriations bill; (2) FY2001 supplemental appropriations of \$118 million and a 0.22% across-the-board rescission contained in H.R. 5666, miscellaneous appropriations bill; and (3) FY2001 supplemental appropriations of \$79.5 million contained in H.R. 2216 (P.L. 107-20). H.R. 5657 and H.R. 5666 were incorporated by reference in P.L. 106-554, FY2001 Consolidated Appropriations Act. The first FY2001 legislative branch appropriations bill, H.R. 4516, was vetoed Oct. 30, 2000. The second legislative branch appropriations bill, H.R. 5657, was introduced Dec. 14, 2000, and incorporated in P.L. 106-554. This figure does not reflect any terrorism supplementals funds released pursuant to P.L. 107-38.
- e. This figure contains appropriations in P.L. 107-68; transfers from the legislative branch emergency response fund pursuant to P.L. 107-117; and FY2002 supplemental appropriations in P.L. 107-206.
- f. This figure contains appropriations in P.L. 108-7, FY2003 Omnibus Appropriations Act, and supplemental appropriations in P.L. 108-11.
- g. This figure contains appropriations in P.L. 108-83, FY2004 Legislative Branch Appropriations Act. Additional FY2004 provisions which did not contain appropriations were contained in P.L. 108-199, the FY2004 Consolidated Appropriations Act.
- h. This figure contains appropriations in P.L. 108-447, Consolidated Appropriations Act, FY2005 (adjusted by a 0.80% rescission also contained in P.L. 108-447), and P.L. 109-13, FY2005 Emergency Supplemental.
- i. This figure contains appropriations in P.L. 109-55, FY2006 Legislative Branch Appropriations Act (adjusted by a 1.0 % rescission contained in P.L. 109-148) and the FY2006 Emergency Supplemental Appropriations Act (P.L. 109-234).
- j. This figure contains appropriations in P.L. 110-5, the Revised Continuing Appropriations Resolution, 2007 and P.L. 110-28, the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007.

Status of FY2008 Appropriations

Table 2. Status of Legislative Branch Appropriations, FY2008

| Committee Markup | | House Report | House Passage | Senate Report | Senate Passage | Conference Report | Conference Report Approval | | Public Law |
|------------------|----------|--|-----------------------|---|----------------|-------------------|----------------------------|--------|---|
| House | Senate | | | | | | House | Senate | |
| 06/12/07 | 06/21/07 | 06/19/07 H.R. 2771 (H.Rept. 110-198) | 06/22/07 (216-176) | 06/25/07 S. 1686 (S.Rept. 110-89) | | | | | 12/26/07 H.R. 2764 (P.L. 110-161) |

Action on the FY2008 Legislative Branch Appropriations Bill

Submission of FY2008 Budget Request on February 5, 2007

The *FY2008 U.S. Budget* contained a request for \$4.3 billion in new budget authority for legislative branch activities, an increase of 14% from FY2007 levels.⁷ A substantial portion of the increase requested by legislative branch entities is to meet (1) mandatory expenses, which include funding for annual salary adjustments required by law and related personnel expenses, such as increased government contributions to retirement based on increased pay, and (2) expenses related to increases in the costs of goods and services due to inflation. Amendments to the request were transmitted to Congress by the President on June 8, 2007.⁸

Congressional Caps on FY2008 Legislative Branch Discretionary Funds

As required by law, both houses are considering separate 302(b) budget allocations for legislative branch discretionary and mandatory funds in FY2008. The House has allocated \$4.150 billion in total budget authority for the legislative branch, and the Senate allocation is \$4.177 billion.⁹

Senate and House Hearings on FY2008 Budget

The House Subcommittee on Legislative Branch held budget hearings on March 1 for the Architect of the Capitol, on March 8 for the U.S. Capitol Police, on March 22 for the Library of Congress and the Open World Leadership Program, on March 27 for the Government Printing Office, on March 29 for the House of Representatives, on April 19 for the Government Accountability Office, and on April 26 for the Office of Compliance and Congressional Budget

⁷ FY2007 total includes levels enacted in the Revised Continuing Appropriations Resolution, 2007 (P.L. 110-5; Feb. 15, 2007; 121 Stat. 8).

⁸ The President's letter transmitting the changes to the budget request is available at http://www.whitehouse.gov/omb/budget/amendments/amendment_6_8_07.pdf.

⁹ U.S. Congress, House Committee on Appropriations, *Report on the Revised Suballocation of Budget Allocations for Fiscal Year 2008*, 110th Cong., 1st sess., H.Rept. 110-236 (Washington: GPO, 2007); U.S. Congress, Senate Committee on Appropriations, *Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 2008*, 110th Cong., 1st sess., S.Rept. 110-133 (Washington: GPO, 2007).

Office. Public witnesses were heard from on May 1. The subcommittee also held additional hearings during these months to conduct oversight and discuss long-range planning requirements and challenges.

The Senate Subcommittee on Legislative Branch held hearings on the FY2008 budget requests on March 2 for the Architect of the Capitol; on March 16 for the Government Accountability Office, the Government Printing Office, the Congressional Budget Office, and the Office of Compliance; on March 30 for the Office of the Senate Sergeant at Arms and Doorkeeper and the U.S. Capitol Police; and on May 3 for the Secretary of the Senate and the Library of Congress.

House Appropriations Committee Markup and Report (FY2008)

The House Subcommittee on Legislative Branch held a markup on the FY2008 bill on June 6, and the full committee marked up and reported the FY2008 bill on June 12. Major issues considered at both markups included efforts to rename the Great Hall of the Capitol Visitor Center “Emancipation Hall,” the future of the Open World Leadership Program, and the use of funds to renovate an FDA building proposed for use as swing space for House offices. The House Committee on Appropriations issued its report (H.Rept. 110-198) on June 19, 2007.

House Passage of the FY2008 Bill (H.R. 2771)

On June 22, the House passed H.R. 2771 by a vote of 216-176 (Roll call #548).¹⁰ Floor consideration followed adoption of the rule on the bill, H.Res. 502 (H.Rept. 110-201), earlier that day by a vote of 222-179 (Roll call #544).¹¹ The rule waived all points of order against the bill and made in order only those amendments specified in the committee report, which included

- an amendment to be offered by Representative Jane Harman of California preventing the funds made available in the act from being used to purchase light bulbs unless the light bulbs have an “energy star” or “Federal Energy Management Program” designation,
- an amendment to be offered by Representative Jeff Flake of Arizona reducing the amount available for the Government Printing Office (GPO) Congressional Printing and Binding account by \$3.2 million, and
- an amendment to be offered by Representative Jim Jordan of Ohio requiring an across-the-board reduction of 4% for funds appropriated in this act.

During floor consideration of the bill on June 22, the first amendment was agreed to, although some Members expressed concerns about adapting this provision to account for the historical lighting in the Capitol Complex.¹²

The second amendment, which reduced the House committee’s recommended appropriation for the Government Printing Office by \$3.2 million, was agreed to with a roll call vote of 218-191.¹³

¹⁰ *Congressional Record*, daily edition, vol. 153, June 22, 2007, pp. H6969-H6999.

¹¹ *Congressional Record*, daily edition, vol. 153, June 22, 2007, pp. H6960-H6969.

¹² *Congressional Record*, daily edition, vol. 153, June 22, 2007, pp. H6992-H6993.

¹³ Roll call no. 545, *Congressional Record*, daily edition, vol. 153, June 22, 2007, p. H6996.

Supporters argued that this amendment would reduce the number of copies of the *Congressional Record* printed for Congress each day, while opponents argued this would add to the GPO budgetary shortfall and that any reduction in copies should be achieved through the authorizing committee.

The House voted against the third amendment in a roll call vote of 177-231.¹⁴

Senate Markup and Report of FY2008 Bill (S. 1686)

The Senate Appropriations Committee marked up and reported its version of the legislative branch appropriations bill on June 21. Senator Mary Landrieu of Louisiana, chairman of the Subcommittee on the Legislative Branch during the 110th Congress, noted that the committee's bill would provide nearly \$2.8 billion in new budget authority (not including House items), a 5% increase (\$138.65 million) over the FY2007 budget and \$289 million below agency requests.

Both Senator Landrieu and Senator Wayne Allard of Colorado, the ranking minority member of the Subcommittee on the Legislative Branch, voiced their concern over using this bill to change the name of the main hall of the Capitol Visitor Center, as proposed by the House, and noted that the Senate version of the bill contains language to effectuate the merger between the U.S. Capitol Police and the Library of Congress Police.

No amendments were considered, and the committee voted 29-0 to report the bill. Senator Landrieu reported an original measure (S. 1686) to the Senate on June 25, with a report (S.Rept. 110-89).

Action on FY2007 Supplemental Appropriations

While the House and Senate Appropriations Committees were considering requests for FY2008, Congress also considered bills providing supplemental appropriations for FY2007. H.R. 1591 was reported as an original measure by the House Appropriations Committee on March 20, 2007.¹⁵ S. 965 was introduced as an original measure by the Senate Appropriations Committee on March 22, 2007.

The House passed its bill on March 23 by a vote of 218-212. The Senate then called up the House-passed bill, inserted the text of the Senate Appropriations Committee version of the bill, amended it, and passed it March 29 by a vote of 51-47. As agreed to by the House and Senate, the legislative branch chapters of the bill included \$6.4 million in new budget authority for the House of Representatives for business continuity and disaster recovery, an additional \$374,000 for the Government Accountability Office, a gratuity payment to the widow of a deceased Member, and \$50 million for Capitol Power Plant repairs. The President vetoed H.R. 1591 on May 1, 2007. A veto override attempt in the House failed on a 222-203 vote.

¹⁴ Roll call no. 546, *Congressional Record*, daily edition, vol. 153, June 22, 2007, p. H6996.

¹⁵ For additional information on the supplemental appropriations bill, see CRS Report RL33900, *FY2007 Supplemental Appropriations for Defense, Foreign Affairs, and Other Purposes*, coordinated by (name redacted).

A new supplemental appropriations measure, H.R. 2206, was introduced in the House on May 8. The House passed the bill two days later by a roll-call vote of 221—205.¹⁶ The Senate amended and passed the measure with an amendment by voice vote on May 17, 2007.¹⁷ After the House and Senate resolved their differences through amendments between the houses, the bill was signed into law by the President on May 25, 2007.¹⁸ In addition to the appropriations proposed in H.R. 1591, as passed by both chambers, P.L. 110-28 contained \$10 million for a radio modernization program for the U.S. Capitol Police. The measure provided two gratuity payments for the surviving spouses of two Representatives. The measure also established within the Office of the Architect of the Capitol the position of Chief Executive Officer for Visitor Services. The official, who will be appointed by the Architect and compensated at the rate of the Chief Operating Officer of the Office of the Architect, will be responsible for the operation and management of the Capitol Visitor Center.

FY2008 Legislative Branch Funding Issues

Capitol Complex Security—U.S. Capitol Police

Funding Issues

The Consolidated Appropriations Act, 2008 provides \$281 million for the Capitol Police, an increase of 5.8% over the \$265.6 million (including supplemental appropriations) provided in FY2007. It is 6.4% less than the \$299.07 million requested for FY2008. The House bill, as passed on June 22, would have provided \$286 million for the U.S. Capitol Police (USCP). The House proposal was \$20.4 million (7.7%) more than the FY2007 level. The Senate bill, as reported by the Committee on Appropriations, would have provided \$284 million in new budget authority, an increase of nearly 7% over FY2007 funds.

Appropriations for the police are contained in two accounts—a *salaries account* and a *general expenses account*. The salaries account contains funds for the salaries of employees, including overtime; hazardous duty pay differential; and government contributions for employee health, retirement, Social Security, professional liability insurance, and other benefit programs. The general expenses account contains funds for expenses of vehicles; communications equipment; security equipment and its installation; dignitary protection; intelligence analysis; hazardous material response; uniforms; weapons; training programs; medical, forensic, and communications services; travel; relocation of instructors for the Federal Law Enforcement Training Center; and other administrative and technical support, among other expenses. A second appropriation relating to the Capitol Police appears within the Architect of the Capitol account for Capitol Police buildings and grounds.

The Consolidated Appropriations Act provides \$232.2 million for salaries and \$48.8 million for general expenses. The total for salaries is \$7.7 million more than the \$224.5 million provided in the House-passed bill (H.R. 2771) and \$6.3 million more than the \$225.9 million recommended

¹⁶ Roll Call No. 333, *Congressional Record*, daily edition, vol. 153, May 10, 2007, pp. H4866-H4867.

¹⁷ *Congressional Record*, daily edition, vol. 153, May 17, 2007, p. S6219.

¹⁸ P.L. 110-28; May 25, 2007; 121 Stat. 112.

by the Senate Committee on Appropriations (S. 1686). The new budget authority for general expenses is \$12.7 million less than the figure from the House bill and \$9.3 million less than the Senate committee recommendation.

The Capitol Police request would have allowed for an additional 30 civilian FTEs (full-time equivalent employees), increasing the civilian level to 444 FTEs and the total department FTE level to 2,125.¹⁹ The House Appropriations Committee, in its report, stated that its recommendation supports a total of 1,681 sworn and 439 civilian FTEs. The Senate report stated that the level recommended by the Senate Appropriations Committee would support the “current sworn staffing of 1,681 officers, and 10 new officers associated with Library of Congress police attrition” and “new positions in financial management, security service, information system and facilities management.”²⁰ The statement issued by Chairman Obey and inserted into the *Congressional Record* states that the funding provided in the Consolidated Appropriations Act supports 1,702 sworn personnel and 391 civilian personnel.²¹

Administrative Issues

Both the House and Senate reports reference the merger of the U.S. Capitol Police and Library of Congress Police, an issue which was addressed in hearings in both chambers during consideration of the FY2008 bill. Language requiring the merger was contained in the FY2003 Consolidated Appropriations Resolution.²² A separate bill implementing the merger, H.R. 3690, was introduced in the House on September 27, 2007. The House Administration Committee held a markup and ordered the bill reported on November 7, 2007. The House passed the bill on December 5, 2007, and the Senate passed the bill with an amendment on December 17, 2007. The House agreed to the Senate amendment the following day with a vote of 413-0.²³ The legislation became P.L. 110-178 on January 7, 2008. The FY2008 Consolidated Appropriations Act also contained language requiring the merger.

Architect of the Capitol

The AOC is responsible for the maintenance, operation, development, and preservation of the United States Capitol Complex, which includes the Capitol and its grounds, House and Senate office buildings, Library of Congress buildings and grounds, Capitol Power Plant, Botanic Garden, Capitol Visitors Center, and Capitol Police buildings and grounds. The Architect is responsible for the Supreme Court buildings and grounds, but appropriations for their expenses are not contained in the legislative branch appropriations bill.

¹⁹ *Justification of Budget Estimates*, in U.S. Congress, House Committee on Appropriations, Subcommittee on the Legislative Branch, *Legislative Branch Appropriations for 2008*, hearings, part 1, 110th Cong., 1st sess. (Washington: GPO, 2007), p. 229.

²⁰ U.S. Congress, Senate Committee on Appropriations, *Legislative Branch Appropriations, 2008*, report to accompany S. 1686, 110th Cong., 1st sess., S.Rept. 110-89 (Washington: GPO, 2007), p. 25.

²¹ *Congressional Record*, daily edition, vol. 153, Dec. 17, 2007, p. H16371.

²² P.L. 108-7; Feb. 20, 2003; 117 Stat. 362-364.

²³ Roll no. 1182, *Congressional Record*, daily edition, vol. 153, Dec. 18, 2007, p. H16795.

Overall Funding Levels

Operations of the Architect are funded in the following ten accounts: general administration, Capitol building, Capitol grounds, Senate office buildings, House office buildings, Capitol power plant, Library buildings and grounds, Capitol Police buildings and grounds, Capitol Visitor Center, and Botanic Garden.

The FY2008 Consolidated Appropriations Act provides \$414.3 million in new budget authority for the Architect of the Capitol. The House-passed bill (H.R. 2771) would have provided \$348.38 million (not including Senate items), and the Senate bill (S. 1686), as reported from the Committee on Appropriations, would have provided \$352.5 million (not including House items). The Architect had requested \$481.7 million.

Capitol Visitor Center (CVC)²⁴

The Architect's FY2008 budget request included \$20.0 million for the CVC project. An additional \$13.9 million was requested for Capitol Visitor Center operational costs. The requested funding was addressed in both House and Senate hearings this year. Some of the questions posed by Members of the legislative branch subcommittees have related to the final cost of the project, its estimated completion and occupancy date, and the center's daily administration after it is opened to the public. The FY2008 Consolidated Appropriations Act provides \$20.2 million for the CVC project and \$8.5 million for operational costs.

Capitol Power Plant Utility Tunnels

The condition of the Capitol Power Plant utility tunnels, and the funds necessary to repair them, have been of interest to appropriators during the FY2006, FY2007, and FY2008 appropriations cycles. The funding for repairs follows a complaint issued February 28, 2006, by the Office of Compliance regarding health and safety violations in the tunnels. The Office of Compliance had previously issued a citation due to the condition of the tunnels on December 7, 2000. On November 16, 2006, the Government Accountability Office (GAO) wrote a letter to the Chair and Ranking Minority Members of the Senate Committee on Appropriations, Subcommittee on the Legislative Branch, and the House Committee on Appropriations, examining the conditions of the tunnels, plans for improving conditions, and efforts to address workers' concerns.²⁵ Potential hazards identified by the Office of Compliance and GAO include excessive heat, asbestos, falling concrete, lack of adequate egress, and insufficient communication systems. In May 2007, the Architect of the Capitol and the Office of Compliance announced a settlement agreement for the complaint and citations.

Steps necessary to remedy the situation, as well as the actions and roles of the Architect of the Capitol and the Office of Compliance, have been discussed at multiple hearings of the House and Senate Appropriations Committees in 2006 and 2007. Other committees have also expressed concern about the utility tunnels and allegations of unsafe working conditions. For example, the

²⁴ For additional information on the Capitol Visitor Center, see CRS Report RL31121, *The Capitol Visitor Center: An Overview*, by Stephen W. Stathis.

²⁵ U.S. Government Accountability Office, *Capitol Power Plant Utility Tunnels*, GAO-07-227R, Nov. 16, 2006, available at <http://www.gao.gov/new.items/d07227r.pdf>.

Senate Committee on Health, Education, Labor and Pensions, Subcommittee on Employment and Workplace Safety, heard testimony on tunnel safety during a March 1, 2007, hearing on the effects of asbestos.

Following the complaint by the Office of Compliance, Congress provided \$27.6 million in FY2006 emergency supplemental appropriations to the Architect of the Capitol for Capitol Power Plant repairs,²⁶ and an additional \$50 million was provided in emergency supplemental appropriations for FY2007.²⁷ The Architect of the Capitol had requested \$24.77 million for FY2008.²⁸ This request, which was submitted prior to the provision of funds in the May 2007 emergency supplemental appropriations act, was not supported by either the House or Senate Appropriations Committee.²⁹

Administrative Provisions

The FY2008 Consolidated Appropriations Act contains language establishing a statutory Office of the Inspector General for the Architect of the Capitol. Both the House-passed and the Senate-reported bills had included provisions establishing this position.

The House-passed bill also included language designating the main hall of the CVC “Emancipation Hall.” Separate legislation changing the name was introduced in the Senate (S. 1679) on June 21, 2007, and in the House (H.R. 3315) on August 2, 2007. The Subcommittee on Economic Development, Public Buildings and Emergency Management of the House Committee on Transportation and Infrastructure held a hearing on the House bill on September 25, 2007. The bill was reported by the committee, before being considered in the House under suspension of the rules, where it was agreed to by a vote of 398-6 on November 13, 2007.³⁰ The Senate passed its bill renaming the space by unanimous consent on November 15, 2007.³¹ H.R. 3315 passed the Senate on December 6 and became P.L. 110-139 on December 18, 2007.³²

²⁶ P.L. 109-234; June 15, 2006; 120 Stat. 48. The funding was included as an amendment (S.Amdt. 3701) offered during Senate floor consideration of H.R. 4939, the emergency supplemental appropriations bill. The amendment was agreed to in the Senate by voice vote on April 27, 2006. The language was retained by conferees, whose report was agreed to by the House on June 13, and the Senate on June 15, 2006.

²⁷ P.L. 110-28; May 25, 2007; 121 Stat. 112.

²⁸ *Justification of Budget Estimates*, in U.S. Congress, House Committee on Appropriations, Subcommittee on the Legislative Branch, Legislative Branch Appropriations for 2008, hearings, part 1, 110th Cong., 1st sess. (Washington: GPO, 2007), p. 521.

²⁹ U.S. Congress, Senate Committee on Appropriations, *Legislative Branch Appropriations, 2008*, report to accompany S. 1686, 110th Cong., 1st sess., S.Rept. 110-89 (Washington: GPO, 2007), p. 30; U.S. Congress, House Committee on Appropriations, *Legislative Branch Appropriations, 2008*, report to accompany H.R. 2771, 110th Cong., 1st sess., H.Rept. 110-198 (Washington: GPO, 2007), p. 20.

³⁰ *Congressional Record*, daily edition, vol. 153, Nov. 13, 2007, pp. H13529-H13535, and Roll call no. 1082, pp. H13822-H13823.

³¹ *Congressional Record*, daily edition, vol. 153, Nov. 15, 2007, p. S14568.

³² P.L. 110-139, Dec. 18, 2007, 121 Stat. 1491.

House of Representatives

Overall Funding

The FY2008 Consolidated Appropriations Act provides \$1.183 billion for the internal operations of the House. The House requested \$1.24 billion, an increase of 8.5% from the FY2007 level, and the House-passed bill would have provided \$1.199 billion in new budget authority.

House Committee Funding

Funding for House committees—for which \$162.4 million was provided in the Consolidated Appropriations Act—is contained in the appropriation heading “committee employees,” which comprises two subheadings.³³ This level is \$5.6 million more than the \$156.8 million requested, and \$0.4 million less than \$162.8 million agreed to by the House in H.R. 2771.

The first subheading contains funds for personnel and nonpersonnel expenses of House committees, except the Appropriations Committee, as authorized by the House in a committee expense resolution. The FY2008 request of \$129.7 million, an increase of 4.2%, included funds for investigations. The House-passed bill would have provided \$133 million in new budget authority for this subheading. The Consolidated Appropriations Act provides \$132.7 million.

The second subheading contains funds for the personnel and nonpersonnel expenses of the Committee on Appropriations, for which \$27.1 million was requested, a 4.8% increase. The House-passed bill would have provided \$29.8 million in new budget authority. The Consolidated Appropriations Act provides \$29.7 million in new budget authority.

Members’ Representational Allowance

The Members’ Representational Allowance (MRA) is available to support Members in their official and representational duties. It provides for personnel, official office expenses, and official (franked) mail. A total of \$610.6 million, an increase of 10% over the \$554.7 million provided in FY2007, was requested for the overall MRA heading. The House-passed bill would have provided \$581 million (an increase of 4.7%). The Consolidated Appropriations Act provides \$579.5 million (an increase of nearly 4.5%) for the MRA.

Senate

Overall Funding

The Consolidated Appropriations Act provides \$831.8 million for the Senate’s internal operations, an increase of 3.5% over the prior year funding level. The Senate had requested \$893.3 million, an increase of 11%.³⁴

³³ For additional information on committee funding, see CRS Report RS22616, *House Committee Funding, 110th Congress*, by (name redacted).

³⁴ Figure includes the revised budget requests transmitted by the President on June 8, 2007.

Senate Committee Funding

Appropriations for Senate committees are contained in two accounts:³⁵

- the *inquiries and investigations account*, contains funds for all Senate committees except Appropriations. \$138.6 million was requested (a 14.9% increase). The Senate Appropriations Committee recommended \$129 million, which was subsequently included in the Consolidated Appropriations Act (a 6.9% increase); and
- the *Committee on Appropriations account*, for which \$14.9 million was requested (an increase of 7.5%) and \$14.6 million was recommended by the Senate Appropriations Committee (an increase of 5.2%). The Consolidated Appropriations Act provides \$14.2 million (an increase of 2%).

Senators' Official Personnel and Office Expense Account

The Senators' Official Personnel and Office Expense Account provides each Senator with funds to administer an office. It is comprised of an administrative and clerical assistance allowance, a legislative assistance allowance, and an official office expense allowance. The funds may be interchanged by the Senator, subject to limitations on official mail. A total of \$396.1 million was requested for this account (an increase of 8.4% over FY2007 funds), with \$379.1 million recommended by the Senate Appropriations Committee (an increase of 3.7%). The Consolidated Appropriations Act provides \$373.6 million (an increase of 2.2%).

Support Agency Funding

Congressional Budget Office (CBO)

CBO is a nonpartisan congressional agency created to provide objective economic and budgetary analyses required by law and by members of the House and Senate Committees on Budget and Committees on Appropriations, House Committee on Ways and Means, and other committees, and by Members of Congress.

The Consolidated Appropriations Act provides \$37.3 million for the Congressional Budget Office, an increase of \$2.1 million (nearly 6%) over its FY2007 funding. CBO requested \$37.97 million, an increase of \$2.8 million (7.9%) over its FY2007 funding, most of which would meet mandatory pay and related costs. The House-passed bill contained \$37.8 million, and the Senate Appropriations Committee recommended \$38.5 million.

Highlights of House and Senate Hearings on FY2008 Budget of the CBO

CBO Director Peter R. Orszag testified before the House legislative branch subcommittee that personnel expenses account for approximately 91% of CBO's budget.³⁶ He indicated his desire to

³⁵ For additional information on committee funding, see CRS Report RL33905, *Senate Committee Expenditures Resolutions, 110th Congress, and Funding Authorizations, 104th - 110th Congresses*, by (name redacted).

³⁶ Testimony of Peter R. Orszag, Director of the Congressional Budget Office, U.S. Congress, House Committee on (continued...)

expand CBO's capacity in the area of health economics. Subsequently, the House Appropriations Committee, in its report, stated that its recommended funding would provide for one additional full-time equivalent employee (FTE) in this area; and the Senate report stated that the committee had "included \$538,000 for CBO to expand its ability to assist the Congress in identifying and analyzing potential ways to address projected growth in health care spending."³⁷

Library of Congress (LOC)

The Library of Congress provides research support for Congress through a wide range of services, from research on public policy issues to general information. Among its major programs are acquisitions, preservation, legal research for Congress and other federal entities, administration of U.S. copyright laws by the Copyright Office, research and analyses of policy issues by the Congressional Research Service, and administration of a national program to provide reading material to the blind and physically handicapped. The Library also maintains a number of collections and provides a range of services to libraries in the United States and abroad.

The FY2008 Consolidated Appropriations Act provides \$562.5 million for the Library of Congress. The House-passed bill contained \$572.5 million in new budget authority, and the Senate-reported bill proposed \$576.9 million. These figures do not include additional authority to spend receipts.³⁸

The Library had requested (1) a net appropriation of \$661.6 million, and (2) authority to use \$41.7 million in funds generated from Library receipts. Most of the increase, \$45.9 million, was requested to meet mandatory pay and price level increases to maintain current services. Also included in the request was \$28.1 million in program increases. The requested funding would support a staff level of 4,244 FTEs, a net decrease of 58 FTEs from the FY2007 level of 4,302.³⁹

FY2008 new budget authorities for the Library's accounts are

- salaries and expenses—The Consolidated Appropriations Act provides \$388.5 million. The House-passed bill would have provided \$394.65 million, while \$401.5 million was contained in the Senate-reported bill. \$461.1 million was requested. These totals do not include authority to spend \$6.35 million in receipts;
- Copyright Office—The Consolidated Appropriations Act provides \$5.3 million (not including authority to spend \$44.2 million in receipts). The House-passed

(...continued)

Appropriations, Subcommittee on the Legislative Branch, *Legislative Branch Appropriations for 2008*, hearings, part 3, 110th Cong., 1st sess., Apr. 26, 2007 (Washington: GPO, 2007), p. 359.

³⁷ U.S. Congress, Senate Committee on Appropriations, *Legislative Branch Appropriations, 2008*, report to accompany S. 1686, 110th Cong., 1st sess., S.Rept. 110-89 (Washington: GPO, 2007), p. 26; U.S. Congress, House Committee on Appropriations, *Legislative Branch Appropriations, 2008*, report to accompany H.R. 2771, 110th Cong., 1st sess., H.Rept. 110-198 (Washington: GPO, 2007), p. 16.

³⁸ An example of receipts are fees paid to the LOC for copyright registration.

³⁹ Submitted testimony of James H. Billington, Librarian of Congress, U.S. Congress, House Committee on Appropriations, Subcommittee on the Legislative Branch, *Legislative Branch Appropriations for 2008*, hearings, part 2, 110th Cong., 1st sess., March 22, 2007 (Washington: GPO, 2007), p. 442.

bill would have provided \$5.6 million (not including authority to spend \$44.2 million in receipts), while \$4.9 million was contained in the Senate-reported bill (not including authority to spend \$45.2 million in receipts). \$16.2 million was requested (not including authority to spend \$35.4 million in receipts);

- Congressional Research Service—The Consolidated Appropriations Act provides \$102.3 million. The House-passed bill would have provided \$104.5 million, while \$102.9 million was contained in the Senate-reported bill. \$108.7 million was requested; and
- Books for the Blind and Physically Handicapped—The Consolidated Appropriations Act provides \$66.9 million. The House-passed and Senate reported bills that would have provided approximately \$67.7 million. \$75.6 million was requested.

The total request included \$43.9 million, to be transferred to the Architect of the Capitol, for the construction of the Library of Congress Fort Meade Logistics Center. In FY2007, \$54.2 million was requested, but not provided, for this project in the Architect's Library Buildings and Grounds account.

An additional \$42.8 million was contained in the Architect's FY2008 request for Library Buildings and Grounds. The Consolidated Appropriations Act provides \$27.5 million in new budget authority for Library Buildings and Grounds. The House-passed bill contained \$31.6 million, and the Senate-reported bill recommended \$28.06 million.

Highlights of the House and Senate Hearings on FY2008 Budget of the LOC

The Library's concern over the rescission of nearly \$50 million in funding in the FY2007 appropriations act was discussed at both the House and Senate hearings. Both hearings also discussed funding for the Books for the Blind program and efforts to update the technology that the "talking book" program currently uses. The House subcommittee also discussed reasons for the inclusion of the funds for the Fort Meade Logistics Center in the Library request and not that of the Architect of the Capitol. Librarian of Congress James H. Billington expressed his desire to prioritize this project.

Congressional Research Service (CRS)

CRS works exclusively for Members and committees of Congress to support their legislative and oversight functions by providing nonpartisan and confidential research and policy analysis.

The FY2008 Consolidated Appropriations Act provides \$102.3 million for CRS. The agency's request of \$108.7 million represented a 7.85%, or \$7.9 million, increase over FY2007 funds, which covers only mandatory pay and related costs and price level changes. The request did not contain funds to support program growth. The House-passed bill contained \$104.5 million in new budget authority and the Senate-reported bill recommended \$102.89 million.

Government Accountability Office (GAO)

GAO works for Congress by responding to requests for studies of federal government programs and expenditures. GAO may also initiate its own work.⁴⁰ Formerly the General Accounting Office, the agency was renamed the Government Accountability Office effective July 7, 2004.

The FY2008 Consolidated Appropriations Act provides \$499.7 million in new budget authority for the GAO, which had requested \$522.8 million (figures do not include an additional \$7.5 million from offsetting collections).⁴¹ The House-passed bill would have provided \$503.3 million in new budget authority for GAO, an increase of 4.6% over FY2007 funding. The House Appropriations Committee, in its report, states that this amount would provide for 3,217 FTEs, an increase of 57 FTEs above the FY2007 levels.⁴² The Senate-reported bill recommended \$510.3 million in new budget authority. The Senate Appropriations Committee, in its report, stated that this amount would allow for 3,221 FTEs and recommended “\$750,000 and four full-time equivalent employees to establish a permanent technology assessment function in the Government Accountability Office.”⁴³

Highlights of House and Senate Hearings on FY2008 Budget of the GAO

The issue of GAO’s possible role in providing technology assessments was addressed during Senate hearings this year. In response to a question, Comptroller General David M. Walker testified before the Senate that GAO could assume this role, formerly handled by the Office of Technology Assessment, and indicated that, in his opinion, such action would be more cost-effective than establishing a new agency.⁴⁴ Chairman Obey’s statement indicated that the Consolidated Appropriations Act includes up to \$2.5 million for technology assessment studies.⁴⁵

Government Printing Office (GPO)

The FY2008 Consolidated Appropriations Act provides \$124.7 million in new budget authority for the Government Printing Office. GPO had requested \$181.98 million, or an increase of 49% over the \$122.1 million made available for FY2007.

GPO’s budget authority is contained in three accounts: (1) congressional printing and binding, (2) Office of Superintendent of Documents (salaries and expenses), and (3) the revolving fund. FY2008 requests for these accounts are

⁴⁰ GAO’s guidelines for initiating studies are contained in: U.S. Government Accountability Office, *GAO’s Congressional Protocols*, GAO-04-310G (Washington: GAO, 2004). Posted on the website of the Government Accountability Office at <http://www.gao.gov/special.pubs/d04310g.pdf>.

⁴¹ Offsetting collections are derived from rent income and reimbursable audit work.

⁴² U.S. Congress, House Committee on Appropriations, *Legislative Branch Appropriations, 2008*, report to accompany H.R. 2771, 110th Cong., 1st sess., H.Rept. 110-198 (Washington: GPO, 2007), p. 29.

⁴³ U.S. Congress, Senate Committee on Appropriations, *Legislative Branch Appropriations, 2008*, report to accompany S. 1686, 110th Cong., 1st sess., S.Rept. 110-89 (Washington: GPO, 2007), p. 42.

⁴⁴ Testimony of David M. Walker, Comptroller General of the United States, U.S. Congress, Senate Committee on Appropriations, Subcommittee on the Legislative Branch, *Legislative Branch Appropriations for 2008*, hearings, 110th Cong., 1st sess., March 16, 2007 (Washington: GPO, 2007), p. 36.

⁴⁵ *Congressional Record*, daily edition, vol. 153, Dec. 17, 2007, p. H16373.

- congressional printing and binding—The Consolidated Appropriations Act provides \$89.8 million. Previously, the House Appropriations Committee had recommended \$87.89 million, which was reduced by \$3.2 million through an amendment adopted on the House floor. The Senate Appropriations Committee recommended \$95.37. \$109.5 million was requested;
- Office of Superintendent of Documents (salaries and expenses)—The Consolidated Appropriations Act provides \$34.9 million. The House-passed bill would have provided \$35.4 million, while \$38.2 million was included in the Senate-reported bill. \$45.6 million was requested; and
- revolving fund—The Consolidated Appropriations Act provides no additional funding for the revolving fund. The House-passed bill would have provided \$2.45 million, while \$5 million was recommended by the Senate Appropriations Committee. \$26.8 million was requested.

The congressional printing and binding account pays for expenses of printing and binding required for congressional use, and for statutorily authorized printing, binding, and distribution of government publications for specified recipients at no charge. Included within these publications are the *Congressional Record*; *Congressional Directory*; Senate and House Journals; memorial addresses of Members; nominations; *U.S. Code* and supplements; serial sets; publications printed without a document or report number, for example, laws and treaties; envelopes provided to Members of Congress for the mailing of documents; House and Senate business and committee calendars; bills, resolutions, and amendments; committee reports and prints; committee hearings; and other documents.

The Office of Superintendent of Documents account funds the mailing of government documents for Members of Congress and federal agencies, as statutorily authorized; the compilation of catalogs and indexes of government publications; and the cataloging, indexing, and distribution of government publications to the Federal Depository and International Exchange libraries, and to other individuals and entities, as authorized by law.

GPO requested \$26.8 million for its revolving fund to support the agency's acquisition of information technology infrastructure and security enhancements, workforce retraining and restructuring efforts, and facilities maintenance and repairs. This is an increase of \$25.8 million over the \$1 million provided in FY2007. Of the requested amount, \$10.5 million was proposed for the completion of the development of GPO's Future Digital System, while \$9.4 million would cover the replacement of a 30-year-old automated composition system.⁴⁶ The House committee report stated that the recommended level of \$2.45 million would provide funds for elevator repairs, the GPO fire alarm systems, and workforce retraining.⁴⁷ The Senate committee report stated that the recommended level of \$5 million would support "Release 2 of the 'Future Digital System' [FDSys]."⁴⁸ The Consolidated Appropriations Act did not provide funding for the revolving fund.

⁴⁶ Testimony of William H. Turri, Acting Public Printer of the United States, U.S. Congress, Senate Committee on Appropriations, Subcommittee on the Legislative Branch, *Legislative Branch Appropriations for 2008*, hearings, 110th Cong., 1st sess., March 16, 2007 (Washington: GPO, 2007), p. 22.

⁴⁷ U.S. Congress, House Committee on Appropriations, *Legislative Branch Appropriations, 2008*, report to accompany H.R. 2771, 110th Cong., 1st sess., H.Rept. 110-198 (Washington: GPO, 2007), p. 29.

⁴⁸ U.S. Congress, Senate Committee on Appropriations, *Legislative Branch Appropriations, 2008*, report to accompany (continued...)

Additional Provisions

The House Committee on Appropriations, in its report, expressed its concern about possible security lapses at the GPO facilities and required a report on security staffing plans. Language in the Consolidated Appropriations Act requires GPO police officers, and not contracted security services, to be responsible for security at the D.C. passport facility.

Highlights of House and Senate Hearings on FY2008 Budget of the GPO

Acting Public Printer William H. Turri, in his written testimony, discussed recent efforts to transform GPO's operations for the digital age.⁴⁹

Other Funding

Office of Compliance

The Office of Compliance is an independent and nonpartisan agency within the legislative branch. It was established to administer and enforce the Congressional Accountability Act, which was enacted in 1995.⁵⁰ The act applies business and federal government employment and workplace safety laws to Congress and certain legislative branch entities.⁵¹

The FY2008 Consolidated Appropriations Act provides \$3.3 million for the Office of Compliance, an increase of 6.5% over the \$3.1 million made available in FY2007. The act also contained language authorizing an increase in the compensation for members of the board of directors and officers of the Office of Compliance. The House-passed bill (H.R. 2771) would have provided \$3.8 million, an increase of nearly 23%. The Senate-reported bill (S. 1686) also recommended \$3.8 million in new budget authority.

The Office of Compliance had requested \$4.1 million. In her prepared testimony, Tamara E. Chrisler, the acting executive director, stated that \$280,000 of the requested increase was related

(...continued)

S. 1686, 110th Cong., 1st sess., S.Rept. 110-89 (Washington: GPO, 2007), p. 42.

⁴⁹ Bruce James retired as Public Printer in January 2007. On May 24, 2007, the President nominated Robert C. Tapella to be Public Printer. The nomination, which requires Senate confirmation, was referred to the Senate Committee on Rules and Administration, which reported it favorably on September 26, 2007. The confirmation was approved by the Senate on October 4, 2007.

⁵⁰ P.L. 104-1, Jan. 23, 1995, 109 Stat. 3. The act, as amended, applies twelve civil rights, labor, and workplace safety laws to Congress and certain legislative branch agencies. These laws include Age Discrimination in Employment Act, Americans with Disabilities Act, Title VII of the Civil Rights Act of 1964, Employee Polygraph Protection Act, Fair Labor Standards Act, Family and Medical Leave Act, Federal Services Labor-Management Relations Act, Occupational Safety and Health Act of 1970, Rehabilitation Act of 1970, Veterans' employment and reemployment rights at Chapter 43 of Title 38 of the U.S. Code, Worker Adjustment and Retraining Act, and Veterans Employment Opportunities Act.

⁵¹ Among the Office's activities are administration of a dispute resolution process, investigation and enforcement of occupational safety and health and disability provisions of the act, investigation of labor relations and enforcement of applicable provisions, and development of educational programs regarding the act's provisions.

to the office's required monitoring of asbestos abatement in the Capitol Power Plant utility tunnels.⁵²

The House bill contained a provision requiring legislative agencies to reimburse the Treasury, from existing funds, for the payment of an award or settlement under the Congressional Accountability Act. Since the passage of the act in 1995, "only funds which are appropriated to an account of the Office in the Treasury of the United States for the payment of awards and settlements may be used for the payment of awards and settlements."⁵³ In response to a question for the record posed during the House Appropriations Committee hearing on the budget request of the Office of Compliance, the Office provided a list of amounts paid on behalf of each legislative branch agency from this account since FY1997, and indicated that the total equals slightly less than \$7.5 million.⁵⁴ In its report, the House Appropriations Committee stated its belief that the administrative provision would "enhance accountability, encourage issues to be solved at a lower level, encourage work place fairness, and require periodic training of managers regarding their responsibility under the Congressional Accountability Act."⁵⁵ The Senate-reported bill did not contain this provision.

The Senate-reported bill included language that would have permitted an employee of the Office of Compliance to be appointed to the positions of Executive Director or General Counsel and would have authorized an increase in the statutory pay cap for these positions. Under the law creating the office, these positions can not be held by most individuals who have held positions within the legislative branch during the previous four years.⁵⁶ The original language would have precluded certain promotions from within the office, for example, from deputy executive director to executive director. In a statement, the office's Board of Directors indicated that "since the Board could be actively contemplating such a promotion, we have an immediate interest in changing the prohibitive section of the CAA."⁵⁷ Support of the Board for language permitting internal promotions was voiced at the Senate budget request hearing on March 16, 2007, by Barbara Camens, who represented the Board.⁵⁸ Separate legislation permitting individuals who have served as employees of the Office of Compliance to serve in appointed positions in the office was introduced in the House on September 18, 2007. The House agreed to that bill, H.R. 3571, by voice vote on October 2, 2007. It passed the Senate without amendment on December 19 and became P.L. 110-164 on December 26, 2007.

⁵² Testimony of Tamara E. Chrisler, Acting Executive Director of the Office of Compliance, U.S. Congress, House Committee on Appropriations, Subcommittee on the Legislative Branch, *Legislative Branch Appropriations for 2008*, hearings, part 3, 110th Cong., 1st sess., Apr. 26, 2007 (Washington: GPO, 2007), p. 379.

⁵³ Congressional Accountability Act, P.L. 104-1, Jan. 23, 1995, 109 Stat. 38; 2 U.S.C. 1415.

⁵⁴ U.S. Congress, House Committee on Appropriations, Subcommittee on the Legislative Branch, *Legislative Branch Appropriations for 2008*, hearings, part 3, 110th Cong., 1st sess. (Washington: GPO, 2007), p. 400.

⁵⁵ U.S. Congress, House Committee on Appropriations, *Legislative Branch Appropriations, 2008*, report to accompany H.R. 2771, 110th Cong., 1st sess., H.Rept. 110-198 (Washington: GPO, 2007), p. 16.

⁵⁶ P.L. 104-1, 109 Stat. 26, Jan. 23, 1995; 2 U.S.C. 1381(d)(2) and 1382.

⁵⁷ Statement of Board of Directors, Office of Compliance [March 16, 2007].

⁵⁸ Testimony of Barbara L. Camens, Member, Board of Directors of the Office of Compliance, U.S. Congress, Senate Committee on Appropriations, Subcommittee on the Legislative Branch, *Legislative Branch Appropriations for 2008*, hearings, 110th Cong., 1st sess., March 16, 2007 (Washington: GPO, 2007), p. 45.

Open World Leadership Center

The center administers a program that supports democratic changes in other countries by giving their leaders opportunity to observe democracy and free enterprise in the United States. The first program was authorized by Congress in 1999 to support the relationship between Russia and the United States. The program encouraged young federal and local Russian leaders to visit the United States and observe its government and society.

Established at the Library of Congress as the Center for Russian Leadership Development in 2000, the center was renamed the Open World Leadership Center in 2003, when the program was expanded to include specified additional countries.⁵⁹ In 2004, Congress further extended the program's eligibility to other countries designated by the center's board of trustees, subject to congressional consideration.⁶⁰ The center is housed in the Library and receives services from the Library through an inter-agency agreement.

Following discussion at both the subcommittee and full committee levels regarding the funding and location of this program, the House Appropriations Committee recommended \$6 million for Open World. The committee report stated that an additional \$6 million would be provided for transfer to the program in the FY2008 State, Foreign Operations, and Related Programs appropriation. The House-passed bill, which retained the committee-recommended funding level, also contained an administrative provision transferring the Open World Leadership Center to the Department of State effective October 1, 2008.

The Senate-reported bill had provided \$13.5 million in new budget authority for Open World.

The FY2008 Consolidated Appropriations Act provides \$8.98 million for Open World. The act also requires the center to examine options for transfer to the executive branch and report its findings to the House and Senate Committees on Appropriations not later than March 31, 2008.

Open World had requested \$14.4 million for FY2008. The request was equal to the amount requested in FY2007 and would have represented an increase of 3.9% from the \$13.86 million provided in FY2007 and FY2006.

John B. Stennis Center for Public Service Training and Development

The center was created by Congress in 1988 to encourage public service by congressional staff through training and development programs. The FY2008 Consolidated Appropriations Act provides \$429,000 for the center. The House-passed bill and the Senate-reported bill both had provided \$430,000 for the center, which is equal to the FY2008 request and the same as provided in FY2007.

⁵⁹ P.L. 106-554, Dec. 21, 2000, 114 Stat. 2763, 2763A-120; P.L. 108-7, Feb. 20, 2003, 117 Stat. 382. According to the 2003 act, the additional countries included "any country specified in section 3 of the FREEDOM Support Act (22 U.S.C. 5801)" and "Estonia, Latvia, and Lithuania."

⁶⁰ P.L. 108-447, Dec. 8, 2004, 118 Stat. 3192.

Table 3. Legislative Branch Appropriations, FY2008

(in thousands of dollars)

| Entity | FY2007 Enacted ^a | FY2008 Request ⁱ | FY2008 House-Passed Bill (H.R. 2771) | FY2008 Senate-Reported Bill (S. 1686) | FY2008 Enacted |
|---|--------------------------------|--------------------------------|--|---|-------------------|
| Title I: Legislative Branch Appropriations | | | | | |
| Senate | 803,514 | 893,335 ⁱ | — ^d | 842,031 | 831,781 |
| House of Representatives | 1,144,486 ^a | 1,235,042 | 1,198,560 | — ^g | 1,182,835 |
| Joint Items | 24,155 | 27,540 ^{jk} | 21,112 ^k | 25,778 ^k | 22,977 |
| Capitol Police ^b | 265,635 ^a | 299,070 | 286,000 | 284,000 | 280,996 |
| Office of Compliance | 3,103 | 4,106 | 3,806 | 3,806 | 3,342 |
| Congressional Budget Office | 35,204 | 37,972 | 37,805 | 38,510 | 37,306 |
| Architect of the Capitol | 449,917 ^a | 481,709 | 348,380 ^e | 352,534 ^h | 414,347 |
| Library of Congress, Including CRS | 508,760 ^a | 661,616 | 572,512 | 576,949 | 562,488 |
| Congressional Research Service, Lib. of Cong. | (100,786) | (108,702) | (104,518) | (102,892) | 102,344 |
| Government Printing Office | 122,050 | 181,979 | 122,576 ^l | 138,596 | 124,688 |
| Government Accountability Office | 481,070 ^a | 522,804 ⁱ | 503,328 | 510,320 | 499,748 |
| Open World Leadership Center ^c | 13,860 | 14,400 | 6,000 | 13,500 | 8,978 |
| Stennis Center for Public Service | 430 | 430 | 430 | 430 | 429 |
| Title II: General Provisions | 0 | 0 | 0 | 0 | 0 |
| Total Legislative Branch (Titles I and II) | 3,852,184 | 4,360,003 | 3,100,509^f | 2,786,454^j | 3,969,915 |

Source: House Committee on Appropriations, the *U.S. Budget*, H.Rept. 110-198, S.Rept. 110-89, P.L. 110-161, and the statement of Chairman David Obey in the *Congressional Record* (daily edition, vol. 153, Dec. 17, 2007, pp. H16371-H16380).

- a. FY2007 funds are contained in P.L. 110-5, the Revised Continuing Appropriations Resolution, 2007 and P.L. 110-28, the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007. Library of Congress total includes the \$49.55 million rescission included in P.L. 110-5.
- b. This account was effective with the FY2003 Legislative Branch Appropriation Act. Previously, Capitol Police funds were contained under the joint items account.
- c. The center was named the Russian Leadership Program prior to FY2004. Appropriations represent payments to the center's trust fund.
- d. The House does not consider appropriations for internal Senate operations.
- e. The House does not consider appropriations for Senate office buildings contained in the budget of the Architect of the Capitol.

- f. This figure will not contain funds for internal Senate operations, which are funded in a separate account, or for Senate office buildings, which are contained in the budget of the Architect of the Capitol. The Senate determines funding levels of these two accounts.
- g. The Senate does not consider appropriations for internal House operations.
- h. This figure will not contain funds for internal House operations, which are funded in a separate account, or for House office buildings, which are contained in the budget of the Architect of the Capitol. The House determines funding levels of these two accounts.
- i. This figure will not contain funds for internal House operations, which are funded in a separate account, or for House office buildings, which are contained in the budget of the Architect of the Capitol. The House determines funding levels of these two accounts.
- j. Budget requests include revised figures contained in the President's letter of June 8, 2007.
- k. The Senate has considered a request for and proposed \$1.25 million in budget authority for the Joint Congressional Committee on Inaugural Ceremonies, while the House-passed bill has not specifically designated funding for this purpose in its bill.
- l. The House Appropriations Committee had recommended \$125.776 million for the Government Printing Office (GPO). A vote on the House floor reduced the budget authority for the Congressional Printing and Binding component of GPO's overall budget authority, and H.R. 2771, as referred to the Senate, states that the appropriation for Congressional Printing and Binding is "\$87,892,000 (reduced by \$3,200,000)."

Table 4. Capitol Police Appropriations, FY2008

(in thousands of dollars)

| Accounts | FY2007 Enacted ^a | FY2008 Requested ^b | FY2008 House Passed Bill (H.R. 2771) | FY2008 Senate Reported Bill (S. 1686) | FY2008 Enacted |
|------------------------------|--------------------------------|----------------------------------|--|---|-------------------|
| Salaries, Capitol Police | 217,135 | — | 224,500 | 225,930 | 232,218 |
| General Expenses | 38,500 | — | 61,500 | 58,070 | 48,778 |
| Emergency Appropriations | 10,000 | — | — | — | — |
| Total, Capitol Police | 265,635 | 299,070 | 286,000 | 284,000 | 280,996 |

Source: House Committee on Appropriations, the *U.S. Budget*, H.Rept. 110-198, S.Rept. 110-89, P.L. 110-161, and the statement of Chairman David Obey in the *Congressional Record* (daily edition, vol. 153, Dec. 17, 2007, pp. H16371-H16380).

- a. FY2007 funds are contained in P.L. 110-5, the Revised Continuing Appropriations Resolution, 2007 and P.L. 110-28, the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007.
- b. The FY2008 request did not contain separate funding for salaries and general expenses.

Table 5. Architect of the Capitol Appropriations, FY2008

(in thousands of dollars)

| Accounts | FY2007 Enacted ^a | FY2008 Requested ^d | FY2008 House-Passed Bill (H.R. 2771) | FY2008 Senate- Reported Bill (S. 1686) | FY2008 Enacted |
|--|---------------------------------|----------------------------------|---|---|-------------------|
| Architect of the Capitol | | | | | |
| General administration | 77,128 | 87,714 | 81,733 | 81,584 | 79,697 |
| Capitol building | 23,886 | 29,480 | 24,567 | 25,247 | 24,030 |
| Capitol Grounds | 7,577 | 10,225 | 9,310 | 9,915 | 10,065 |
| Senate office buildings | 67,202 | 87,248 | — ^b | 71,048 | 70,107 |
| House office buildings | 59,896 | 50,621 | 66,151 | — ^c | 65,471 |
| Capitol power plant P.L. 110-5 Emergency Appropriations | 123,313 (73,313) (50,000) | 111,226 | 83,017 | 83,447 | 85,097 |
| Library buildings and grounds | 27,692 | 42,788 | 31,638 | 28,061 | 27,484 |
| Capitol Police buildings and grounds | 11,768 | 18,816 | 16,109 | 15,116 | 14,929 |
| Botanic garden | 7,697 | 9,707 | 8,310 | 9,363 | 8,786 |

| Accounts | FY2007 Enacted ^a | FY2008 Requested ^d | FY2008 House-Passed Bill (H.R. 2771) | FY2008 Senate- Reported Bill (S. 1686) | FY2008 Enacted |
|--|--------------------------------|----------------------------------|---|---|-------------------|
| Capitol Visitor Center | 43,758 | 33,884 | 27,545 | 28,753 | — |
| Project - Cost to complete | | (20,000) | (20,000) | | 20,202 |
| Operations | | (13,884) | (7,545) | | 8,479 |
| Total, Architect of the Capitol | 449,917 | 481,709 | 348,380^b | 352,534^c | 414,347 |

Source: House Committee on Appropriations, the *U.S. Budget*, H.Rept. 110-198, S.Rept. 110-89, P.L. 110-161, and the statement of Chairman David Obey in the *Congressional Record* (daily edition, vol. 153, Dec. 17, 2007, pp. H16371-H16380).

- a. FY2007 funds are contained in P.L. 110-5, the Revised Continuing Appropriations Resolution, 2007 and P.L. 110-28, the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007.
- b. The House does not consider appropriations for Senate office buildings.
- c. The Senate does not consider appropriations for House office buildings.
- d. Budget requests include revised figures contained in the President's letter of June 8, 2007.

Table 6. Senate Appropriations, FY2008

(in thousands of dollars)

| Accounts ^a | FY2007 Enacted ^d | FY2008 Request ^e | FY2008 House (H.R. 2771) | FY2008 Senate- Reported Bill (S. 1686) | FY2008 Enacted |
|---|-----------------------------|-----------------------------|-----------------------------|--|----------------------|
| Payments—Heirs of Deceased Members of Congress | 0 | 0 | — | 165 | 0^f |
| Expense Allowances and Representation | 225 | 225 | — | 225 | 225 |
| Salaries, Officers, and Employees | 148,512 | 166,651 | — | 160,296 | 158,457 |
| Office of Legislative Counsel | 5,491 | 6,280 | — | 6,280 | 6,280 |
| Office of Legal Counsel | 1,317 | 1,439 | — | 1,439 | 1,439 |
| Expense Allowances for Secretary of Senate, et al. | 24 | 24 | — | 24 | 24 |
| Contingent Expenses (subtotal) | 647,945 | 718,716 | — | 673,602 | 665,356 |
| Inquiries and Investigations | 120,692 | 138,644 | — | 129,000 | 129,000 |
| Senate Intl. Narcotics Caucus | 520 | 520 | — | 520 | 520 |
| Secretary of the Senate ^b | 1,980 | 2,000 | — | 2,000 | 2,000 |
| Sergeant at Arms/Doorkeeper ^c | 142,000 | 162,450 | — | 145,189 | 142,389 |
| Miscellaneous Items | 17,000 | 18,737 | — | 17,528 | 17,528 |
| Senators' Official Personnel and Office Expense Account | 365,453 | 396,065 | — | 379,065 | 373,619 |
| Official Mail Costs | 300 | 300 | — | 300 | 300 |
| Total, Senate | 803,514 | 893,335 | — | 842,031 | 831,781 |

Source: House Committee on Appropriations, the *U.S. Budget*, revised FY2008 requests, S.Rept. 110-89, P.L. 110-161, and the statement of Chairman David Obey in the *Congressional Record* (daily edition, vol. 153, Dec. 17, 2007, pp. H16371-H16380).

- a. The Senate account contains seven appropriations headings, which are highlighted in bold.
- b. Office operations of the Office of the Secretary of the Senate are also funded under “Salaries, Officers, and Employees.”
- c. Office operations of the Office of Sergeant at Arms and Doorkeeper are also funded under “Salaries, Officers, and Employees.”
- d. FY2007 funds are contained in P.L. 110-5, the Revised Continuing Appropriations Resolution, 2007.
- e. Budget requests include revised figures contained in the President’s letter of June 8, 2007.
- f. A gratuity payment was included in the first FY2008 Continuing Appropriations Act, P.L. 110-92, which was enacted on Sept. 29, 2007.

Table 7. House of Representatives Appropriations, FY2008

(in thousands of dollars)

| Accounts ^a | FY2007 Enacted ^b | FY2008 Request | FY2008 House-Passed Bill (H.R. 2771) | FY2008 Senate (S. 1686) | FY2008 Enacted |
|---|--------------------------------|-------------------|--|-------------------------------|----------------------|
| Payments—Heirs of Deceased Members of Congress | 330 | 0 | 0 | — | 0^e |
| Salaries and Expenses, Total | 1,144,486 | 1,235,042 | 1,198,560 | — | 1,182,835 |
| House Leadership Offices | 22,822 | 23,648 | 23,648 | — | 23,987 |
| Members' Representational Allowances^c | 554,716 | 610,616 | 581,000 | — | 579,548 |
| Committee Employees (subtotal)^d | 150,272 | 156,775 | 162,800 | — | 162,387 |
| Standing Committees, Special and Select, except Appropriations | 124,406 | 129,662 | 133,000 | — | 132,668 |
| Appropriations Committee | 25,866 | 27,113 | 29,800 | — | 29,719 |
| Salaries, Officers, and Employees (subtotal) | 156,147 | 174,382 | 169,393 | — | 166,367 |
| Office of the Clerk | 21,676 | 22,881 | 22,881 | — | 22,367 |
| Office of the Sergeant at Arms | 6,295 | 7,024 | 7,024 | — | 6,866 |
| Office of Chief Administrative Officer | 106,064 | 120,612 | 116,891 | — | 114,267 |
| Office of Inspector General | 4,016 | 4,457 | 4,457 | — | 4,357 |
| Office for Emergency Planning, Preparedness, and Operations | 4,010 | 4,242 | 3,111 | — | 3,041 |
| Office of General Counsel | 968 | 1,202 | 1,202 | — | 1,175 |
| Office of the Chaplain | 163 | 166 | 166 | — | 166 |
| Office of the Parliamentarian | 1,778 | 1,828 | 1,828 | — | 1,794 |
| Office of the Law Revision Counsel | 2,472 | 3,046 | 3,046 | — | 2,932 |
| Office of the Legislative Counsel | 7,025 | 7,406 | 7,406 | — | 7,240 |
| Office of Interparliamentary Affairs | 724 | 752 | 752 | — | 700 |
| Other Authorized Employees: Technical Assistants, Office of Attending Physician | 548 | 170 | 170 | — | 1,013 |
| Office of Historian | 408 | 596 | 459 | — | 449 |

| Accounts ^a | FY2007 Enacted ^b | FY2008 Request | FY2008 House-Passed Bill (H.R. 2771) | FY2008 Senate (S. 1686) | FY2008 Enacted |
|--|--------------------------------|-------------------|--|-------------------------------|-------------------|
| Allowances and Expenses (subtotal) | 260,199 | 269,621 | 261,719 | — | 250,546 |
| Supplies, Materials, Administrative Costs and Federal Tort Claims | 4,704 | 3,688 | 3,688 | — | 3,579 |
| Official Mail for committees, leadership, administrative and legislative offices | 410 | 410 | 410 | — | 309 |
| Government Contributions | 226,904 | 239,447 | 237,410 | — | 226,887 |
| Capitol Visitor Center | 3,410 | 2,308 | 2,308 | — | 2,256 |
| Business Continuity and Disaster Recovery Emergency Appropriations | 17,631 6,437 | 23,065 | 17,200 | — | 16,814 |
| Miscellaneous Items | 703 | 703 | 703 | — | 701 |
| House of Representatives, Total | 1,144,486 | 1,235,042 | 1,198,560 | — | 1,182,835 |

Sources: House Committee on Appropriations, the *U.S. Budget*, H.Rept. 110-198, P.L. 110-161, and the statement of Chairman David Obey in the *Congressional Record* (daily edition, vol. 153, Dec. 17, 2007, pp. H16371-H16380)

- a. The appropriations bill contains two House accounts: (1) payments to widows and heirs of deceased Members of Congress and (2) salaries and expenses.
- b. FY2007 funds are contained in P.L. 110-5, the Revised Continuing Appropriations Resolution, 2007 and P.L. 110-28, the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007.
- c. This appropriation heading was new in the FY1996 bill. The heading represents a consolidation of: (1) the former heading Members' clerk hire; (2) the former heading official mail costs; and (3) the former subheading official expenses of Members, under the heading allowances and expenses.
- d. This appropriation heading was new in the FY1996 bill. The heading represents a consolidation of: (1) the former heading committee employees; (2) the former heading standing committees, special and select; (3) the former heading Committee on Budget (studies); and (4) the former heading Committee on Appropriations (studies and investigations).
- e. A gratuity payment was included in the first FY2008 Continuing Appropriations Act, P.L. 110-92, which was enacted on Sept. 29, 2007. An additional gratuity payment was included in the Second Continuing Appropriations Act, P.L. 110-116 and in the Fourth Continuing Appropriations Act, P.L. 110-149.

For Additional Reading

CRS Report

CRS Report RL33379, *Legislative Branch: FY2007 Appropriations*, by (name redacted) and (name redacted).

CRS Report RL32819, *Legislative Branch: FY2006 Appropriations*, by (name redacted).

Selected Websites

These sites contain information on the FY2007 and FY2008 legislative branch appropriations requests and legislation, and the appropriations process.

House Committee on Appropriations
<http://appropriations.house.gov/>

Senate Committee on Appropriations
<http://appropriations.senate.gov/>

CRS Appropriations Products Guide
<http://www.crs.gov/products/appropriations/apppage.shtml>

Congressional Budget Office
<http://www.cbo.gov>

Government Accountability Office
<http://www.gao.gov>

Office of Management & Budget
<http://www.whitehouse.gov/omb/>

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