



# Legislative Branch: FY2010 Appropriations

(name redacted)

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## Summary

Approximately \$5.0 billion was requested for legislative branch operations in FY2010, an increase of 14.5% over the FY2009 enacted level. The Subcommittees on the Legislative Branch of the House and Senate Appropriations Committees held hearings during which Members considered the legislative branch requests.

On September 23, 2009, the House ordered the previous question (Roll No. 733, 240-171) and agreed by voice vote to a conference with the Senate on H.R. 2918, the FY2010 Legislative Branch Appropriations bill. A motion to instruct conferees failed (Roll No. 734, 191-213), and the House appointed conferees. The House Rules Committee met on September 24, 2009, to adopt a rule for consideration of the conference report. The committee reported the rule (H.Res. 772) and the House adopted it the following day. Following adoption of the rule, the House passed the conference report on H.R. 2918.

The House passed H.R. 2918, with amendments, on June 19, 2009. The House bill would have provided nearly \$3.675 billion, not including Senate items. The Senate Appropriations Committee held a markup and reported an original bill for legislative branch appropriations on June 18, 2009. The Senate bill (S. 1294) contained \$3.136 billion, not including House items. The Senate agreed to the House bill, as amended, on July 6, 2009, and appointed conferees.

The conference report (H.Rept. 111-265) provides \$4.656 billion. It was agreed to in the House on September 25 and in the Senate on September 30. It was signed by the President and became P.L. 111-68 on October 1, 2009.

Among issues that have been considered during hearings on the FY2010 budget in the House and Senate Appropriations Committees, Subcommittees on the Legislative Branch, are the following:

- the need for the new U.S. Capitol Police radio system and the timing of funding;
- deferred maintenance issues around the Capitol complex;
- the effect of the Office of Compliance citations on the Architect's project prioritization and budget request;
- employment issues, including pay, recruitment and retention, diversity, and equal employment opportunity concerns; and
- the future of the Open World Leadership Program, including the location of the program within the legislative branch and the selection of participant countries.

The FY2009 Omnibus Appropriations Act (P.L. 111-8, enacted on March 11, 2009) provided \$4.4 billion for legislative branch activities. This represents an approximately 11% increase over the nearly \$4 billion approved by Congress for FY2008. In FY2009, the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) provided an additional \$25 million for the Government Accountability Office and the FY2009 Supplemental Appropriations Act (P.L. 111-32) provided \$71.6 million for the new U.S. Capitol Police (USCP) radio system and \$2 million for the Congressional Budget Office (CBO).

This report will not be updated.

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## Most Recent Developments

The FY2010 legislative branch appropriations bill provided \$4.656 billion. It was signed by the President and became P.L. 111-68 on October 1, 2009.

The conference report (H.Rept. 111-265) was agreed to in the Senate on September 30, 2009 (Roll No. 302, 62-38).

On September 25, 2009, the House agreed to the conference report on H.R. 2918, the FY2010 Legislative Branch Appropriations bill (Roll No. 739, 217-190). Debate followed adoption of the rule (H.Res. 772, Roll No. 738, 209-189) for consideration of the report. An amendment to the rule was adopted allowing for a correction during enrollment (H.Con.Res. 191). The rule had been reported by the House Rules Committee the previous day. On September 23, 2009, the House had ordered the previous question (Roll No. 733, 240-171) and agreed by voice vote to a conference with the Senate. A motion to instruct conferees failed (Roll No. 734, 191-213), and the House appointed conferees.

Approximately \$5.0 billion was requested for legislative branch operations in FY2010, an increase of 14.5% over the \$4.4 billion provided in the FY2009 Omnibus Appropriations Act.<sup>1</sup> The Subcommittees on the Legislative Branch of the House and Senate Appropriations Committees each held hearings during which Members considered the legislative branch requests. The House passed H.R. 2918, the FY2010 legislative branch appropriations bill, on June 19, 2009. The Senate passed the bill, with a substitute amendment, on July 6, 2009.

## House Action

On June 11, 2009, the House Appropriations Committee, Subcommittee on Legislative Branch held a markup of the FY2010 bill. The subcommittee version contained \$3.675 billion, not including Senate items. This level is approximately \$237 million above the FY2009 enacted level and \$282 million less than requested for these accounts. The largest increase would be provided to the Architect of the Capitol (\$81 million over the FY2009 enacted level, or nearly 18%).<sup>2</sup> The largest decrease would be for the Open World Leadership Program, which would have its budget reduced by \$5 million, or nearly 36%. At a markup on June 12, 2009, the full committee adopted by voice vote three of four amendments offered.

The House Rules Committee met on June 18, 2009, to report a rule for floor consideration of the bill, H.R. 2918. The rule, H.Res. 559, allowed for the consideration of one amendment. The resolution was adopted on June 19, 2009 (Roll No. 410, 226-179). The amendment offered by Representative Carolyn McCarthy of New York to require \$250,000 of the funds appropriated to the Library of Congress be allocated for the Civil Rights Oral History Project was adopted by voice vote. Representative Jack Kingston of Georgia moved to recommit the bill to the Appropriations Committee with instructions to eliminate \$100,000 from the Allowances and Expenses funding for “other applicable employee benefits” following a discussion of the House “Wheels4Wellness” bike sharing program. The House agreed to the motion (Roll No. 412, 374-

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<sup>1</sup> **Table 4** presents information on the legislative branch FY2009 appropriations and FY2010 budget requests.

<sup>2</sup> Increase does not include Senate items. U.S. House of Representatives, Committee on Appropriations, *Legislative Branch Appropriations Bill, 2010*, H.Rept. 111-160, (Washington, GPO: 2009).

34), and then adopted the amendment by voice vote. The House passed the bill (Roll No. 413, 232-178).

## Senate Action

The Senate Appropriations Committee held a markup on June 18, 2009, and reported an original bill for legislative branch appropriations. The Senate bill (S. 1294) contained \$3.136 billion, not including House items. This is \$76.1 million more than provided for FY2009 and \$296.8 less than requested.

On June 23, 2009, Majority Leader Harry Reid asked for unanimous consent to proceed to the consideration of H.R. 2918. The request was followed by debate concerning the amendment process, with a discussion of seven amendments that the minority was considering.

On June 25, 2009, the Senate proceeded to consideration of the bill. Senator Ben Nelson, the chair of the legislative branch subcommittee, offered an amendment in the nature of a substitute (S.Amdt. 1365) that would strike all after the enacting clause and insert the Senate text.<sup>3</sup> Following discussion of the substitute amendment, Senator Vitter offered a motion to commit H.R. 2918 to the Committee on Appropriations with instructions to report the bill with amendments that would limit the overall spending level to not more than the FY2009 level, “while not reducing appropriations necessary for the security of the United States Capitol complex.”<sup>4</sup> The motion was tabled (Roll call #214, 65-31). Following the vote, Senator McCain offered an amendment (S.Amdt. 1366 to S.Amdt. 1365) that would strike \$200,000 in funding for the Durham Museum in Omaha, Nebraska. A discussion of this provision was followed by a discussion of language in the substitute amendment that would amend the Congressional Accountability Act. The language would strike paragraph 6 of 2 U.S.C. 1341(c), which sets a compliance deadline for violations under the Occupational Safety and Health Act (OSHA). No amendment to this language was offered.

A unanimous consent agreement provided that the Senate resume consideration on July 6 of the amendment offered by Senator McCain, as well as<sup>5</sup>

- an amendment related on online disclosure of Senate spending, to be offered by Senator Coburn;
- an amendment requiring the Architect of the Capitol to inscribe the phrase “In God We Trust” and the Pledge of Allegiance in the Capitol Visitor Center (CVC), to be offered by Senator DeMint; and
- an amendment on Federal Reserve audit reform, to be offered by Senator DeMint.

Following consideration on July 6, the Senate agreed to the amendment offered by Senator Coburn on Senate expenses (S.Amdt. 1369) and Senator DeMint’s amendment regarding engravings at the CVC (S.Amdt. 1370) by voice vote. The CVC language was also introduced as concurrent resolutions—S.Con.Res. 27 was introduced by Senator DeMint on June 15, 2009, and

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<sup>3</sup> Text of amendment, *Congressional Record*, June 25, 2009, p. S7102.

<sup>4</sup> *Congressional Record*, June 25, 2009, p. S7053.

<sup>5</sup> U.S. Senate, *Calendar of Business*, Monday, July 6, 2009, 111<sup>th</sup> Cong., 1<sup>st</sup> sess.

H.Con.Res. 131 was introduced by Representative Lungren on May 20, 2009. The latter was agreed to in the House on July 9, 2009, and in the Senate on July 10, 2009.

Senator DeMint's amendment regarding audits by the Comptroller General of the United States of the Federal Reserve System (S.Amdt. 1367) was ruled out of order as a violation of Senate Rule XVI.

The Senate defeated (Roll No. 215, 31-61) Senator McCain's amendment (S.Amdt. 1366) to strike funding for the Durham Museum.

Senator Coburn then made a constitutional point of order against the substitute amendment because of the funding for this museum. The Senate voted (Roll No. 216, 70-23) that the substitute amendment was in order.<sup>6</sup> The Senate then agreed to H.R. 2918, as amended (Roll No. 217, 67-25).

## FY2009 Supplemental Appropriations

In FY2009, an additional \$25 million was provided for the Government Accountability Office (GAO) in the American Recovery and Reinvestment Act of 2009.<sup>7</sup>

P.L. 111-32, the FY2009 Supplemental Appropriations Act, also contained funding for the legislative branch. The House- and Senate-passed versions of H.R. 2346 both contained \$71.6 million for the new U.S. Capitol Police radio system. The Senate version also contained \$2 million for the Congressional Budget Office (CBO), to remain available until September 30, 2010, and authorized additional funds for the Senate Committee on the Judiciary. The conference agreement contained the police radio and the Congressional Budget Office funding.<sup>8</sup> The House agreed to the conference report on June 17, 2009, with the Senate following the next day. The President signed the bill on June 24, 2009.

## FY2009 Omnibus Appropriations Act

Consideration of the FY2010 request follows the enactment on March 11, 2009, of the FY2009 Omnibus Appropriations Act. The FY2009 act provided a 10.88%<sup>9</sup> increase over the \$3.97 billion provided for FY2008.<sup>10</sup> The FY2009 enacted level was \$258.47 million less than the request for

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<sup>6</sup> Under Senate precedents, a constitutional point of order is submitted to the full Senate to be decided by majority vote (*Riddick's Senate Procedure*, 101<sup>st</sup> Cong., 2<sup>nd</sup> sess., S.Doc. 101-28 (Washington: GPO, 1992), p. 685).

<sup>7</sup> P.L. 111-5, Feb. 17, 2009, 123 Stat. 191.

<sup>8</sup> U.S. Congress, conference committee, *Making Supplemental Appropriations For The Fiscal Year Ending September 30, 2009, And For Other Purposes*, report to accompany H.R. 2346, 111<sup>th</sup> Cong., 1<sup>st</sup> sess., H.Rept. 111-151 (Washington: GPO, 2009), p. 117.

<sup>9</sup> Although requested and enacted levels are rounded throughout the report, percentages are based on the actual dollar figure.

<sup>10</sup> P.L. 110-161, Dec. 26, 2007. This total includes an across-the-board rescission of 0.25% which was applied to accounts within the legislative branch division of the act. 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. The House Appropriations Committee subsequently issued a committee print containing additional information on funding provided in the act (U.S. Congress, House Appropriations Committee, *Consolidated Appropriations Act, 2008, H.R. 2764/P.L. 110-161*, committee print, (continued...))

\$4.66 billion in discretionary budget authority. An explanatory statement on the act was inserted into the *Congressional Record* on February 23, 2009, and later issued as a print from the Committee on Appropriations.<sup>11</sup>

## 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;<sup>12</sup> 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.”

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.<sup>13</sup> Title II, Related Agencies, contained budget

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(...continued)

110<sup>th</sup> Cong., 2<sup>nd</sup> sess. (Washington: GPO, 2008), pp. 1841-1907).

<sup>11</sup> Section 4 of P.L. 111-8 states the following: “The explanatory statement regarding this Act, printed in the House of Representatives section of the *Congressional Record* on or about February 23, 2009 by the Chairman of the Committee on Appropriations of the House, shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a joint explanatory statement of a committee of conference.” Pages H2395-H2403 of the *Congressional Record* pertain to the legislative branch division of the FY2009 Omnibus. The House Appropriations Committee subsequently issued the statement as a committee print (U.S. Congress, House Appropriations Committee, *Committee Print of the House Committee on Appropriations on H.R. 1105 / P.L. 111-8 Books 1 & 2*, committee print, 111<sup>th</sup> Cong., 1<sup>st</sup> sess. (Washington: GPO, 2008), pp. 1737-1778).

<sup>12</sup> Funded within the Joint Items account are the Joint Economic Committee, Joint Committee on Taxation, Office of the Attending Physician, Office of Congressional Accessibility Services, and Statements of Appropriations. 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. From FY1996 through FY2009, the “Joint Items” also included the Capitol Guide Service and Special Services Office. Under the Capitol Visitor Center Act of 2008 (P.L. 110-437), funding for the Capitol Guide Service was transferred to the Architect of the Capitol and funding for the Special Services Office was transferred to the Office of Congressional Accessibility Services.

<sup>13</sup> 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.



authority for activities considered by the Committee on Appropriations not directly supporting Congress.<sup>14</sup> Occasionally, from FY1978 through FY2002, the annual legislative appropriations bill contained additional titles for such purposes as capital improvements and special one-time functions.

## Subcommittee Structure

In both the 110<sup>th</sup> and 111<sup>th</sup> Congresses, the House Appropriations Committee established a Legislative Branch Subcommittee. The House subcommittee did not exist in the 109<sup>th</sup> Congress, and the full House committee considered the legislative branch bill, while the Senate established a subcommittee.<sup>15</sup> Previously, both the House and Senate Appropriations Committees generally had a separate Legislative Branch Subcommittee dating back at least to the Legislative Reorganization Act of 1946, with the exception of the 83<sup>rd</sup> Congress (1953-1954), during which the House and Senate Appropriations Committees established a subcommittee to consider both legislative and judiciary matters. The two chambers subsequently returned to the former practice of a separate Legislative Subcommittee beginning in the 84<sup>th</sup> Congress (1955).<sup>16</sup>

**Table I. Legislative Branch Appropriations, FY1999-FY2010**

(budget authority in billions of current dollars)

1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
2.581 <sup>a</sup>	2.486 <sup>b</sup>	2.730 <sup>c</sup>	3.252 <sup>d</sup>	3.461 <sup>e</sup>	3.528 <sup>f</sup>	3.640 <sup>g</sup>	3.793 <sup>h</sup>	3.852 <sup>i</sup>	3.970	4.402 <sup>i</sup>	4.656

**Source:** Congressional Research Service

**Notes:** 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.

- a. 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).
- b. 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.
- c. 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

<sup>14</sup> Included in this title were the budgets of 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.

<sup>15</sup> 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 110<sup>th</sup> Congress.

<sup>16</sup> For additional information on the subcommittee structure, see CRS Report RL31572, *Appropriations Subcommittee Structure: History of Changes from 1920-2007*, by (name redacted).

- introduced Dec. 14, 2000, and incorporated in P.L. 106-554. This figure does not reflect any terrorism supplemental funds released pursuant to P.L. 107-38.
- d. 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.
  - e. This figure contains appropriations in P.L. 108-7, FY2003 Omnibus Appropriations Act, and supplemental appropriations in P.L. 108-11.
  - f. 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.
  - g. 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.
  - h. 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).
  - i. 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.
  - j. This represents the FY2009 level included in the FY2009 Omnibus Appropriations Act and reported in the accompanying documents. This does not include \$25 million for the legislative branch contained in the American Recovery and Reinvestment Act of 2009 (P.L. 111-5).

## Status of FY2010 Appropriations

**Table 2. Status of Legislative Branch Appropriations, FY2010**

Committee Markup		House Report	House Passage	Senate Report	Senate Passage	Conference Report	Conference Report Approval		Public Law
House	Senate						House	Senate	
06/12/09	6/18/09	H.Rept. 111-60	6/19/2009	S.Rept. 111-29	7/6/09	H.Rept. 111-265	9/25/09	9/30/09	P.L. 111-68

Source: Congressional Research Service

## Action on the FY2010 Legislative Branch Appropriations Bill

### Submission of FY2010 Budget Request on May 8, 2009<sup>17</sup>

The *FY2010 U.S. Budget* contained a request for \$5.0 billion in new budget authority for legislative branch activities, an increase of approximately 14.5% from the FY2009 enacted level.<sup>18</sup> A substantial portion of the increase requested by legislative branch entities was to meet

<sup>17</sup> For information on the timing of the budget submission, see CRS Report RS20752, *Submission of the President's Budget in Transition Years*, by (name redacted).

<sup>18</sup> Office of Management and Budget, *Analytical Perspectives, Budget of the United States Government, FY2010*, Table 27-1—Federal Programs by Agency and Account (Washington: GPO, 2009), pp. 1-6; and Office of Management and Budget, *Summary Tables, Budget of the United States Government, FY2010*, Table S—3. Discretionary Funding by Major Agency (Washington: GPO, 2008), p. 141. These requests are “included in the budget by the President without change” (31 U.S.C. §1105).

(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.

### Congressional Caps on FY2010 Legislative Branch Discretionary Funds

As required by law, both houses considered separate 302(b) budget allocations for legislative branch discretionary and mandatory funds in FY2010. The House has allocated \$4.830 billion in total budget authority for the legislative branch, including \$4.7 billion in discretionary spending and \$130 million in mandatory spending.<sup>19</sup> The Senate has allocated \$4.752 billion, including \$4.622 billion in discretionary spending and \$130 million in mandatory spending.<sup>20</sup>

### Senate and House Hearings on the FY2010 Budget

Table 3 lists the dates of hearings of the legislative branch subcommittees in 2009.

**Table 3. Dates of House and Senate Hearings on Legislative Branch Requests**

	House of Representatives	Senate
Senate Sergeant at Arms/Secretary of the Senate	—	April 23, 2009
House of Representatives	May 6, 2009	—
Capitol Police	April 22, 2009	April 23, 2009
Office of Compliance	April 28, 2009	May 7, 2009
Congressional Budget Office	April 23, 2009	May 21, 2009
Architect of the Capitol	April 23, 2009	May 7, 2009
Library of Congress, including the Congressional Research Service	April 29, 2009	June 4, 2009
Government Printing Office	April 28, 2009	May 21, 2009
Government Accountability Office	April 28, 2009	May 21, 2009
Open World Leadership Center	April 29, 2009	June 4, 2009
Members/Public Witnesses	May 5, 2009	—

Source: Congressional Research Service

### House Appropriations Committee Markup and Report

As stated above, the House Appropriations Committee, Subcommittee on Legislative Branch held a markup of the FY2010 bill on June 9, 2009. The full committee held its markup on June 12,

<sup>19</sup> U.S. Congress, House Committee on Appropriations, *Report on the Suballocation of Budget Allocations for Fiscal Year 2010*, 111<sup>th</sup> Cong., 1<sup>st</sup> sess., H.Rept. 111-148 (Washington: GPO, 2009), p. 2.

<sup>20</sup> U.S. Congress, Senate Committee on Appropriations, *Allocation To Subcommittees Of Budget Totals From The Concurrent Resolution, Fiscal Year 2010*, 111<sup>th</sup> Cong., 1<sup>st</sup> sess., S.Rept. 111-30 (Washington: GPO, 2009), p. 3.

2009, considering four amendments before ordering the bill reported. The first three listed below were accepted by voice vote, while the fourth was rejected by voice vote.

These included

- an amendment offered by Representative Debbie Wasserman Schultz adding report language emphasizing the importance of staff-led tours to Members and directing the Architect not to restrict these tours, except as directed by the Capitol Police Board;
- an amendment offered by Representative Debbie Wasserman Schultz adding report language directing an assessment of missteps during the 2009 Presidential inauguration and plans for the implementation of recommendations;
- an amendment offered by Chairman David Obey renaming the American Folklife Center as the “Archie Green American Folklife Center”; and
- an amendment offered by Representative Jack Kingston related to the use of the E-verify system to check the employment eligibility of legislative branch employees.

At the markup, Members also discussed the reduction in funding for the Open World Leadership Program and efforts to require an educational display on emancipation within Emancipation Hall in the Capitol Visitor Center.<sup>21</sup>

### **Rule for Consideration of the House Bill**

On June 16, 2009, the House Committee on Rules issued a “Dear Colleague” letter stating that the committee expected to meet on June 18, 2009, to report a rule for consideration of the FY2010 legislative branch appropriations bill. The letter established requirements for any Member wishing to offer an amendment to the bill. The Rules Committee met on June 18, 2009, and reported H.Res. 559, which made one amendment in order. The amendment requires \$250,000 of the amounts available under the Library of Congress, Salaries and Expenses account, be used to carry out activities under the Civil Rights History Project Act of 2009. Summaries of the other 19 amendments submitted to the Committee on Rules are available on its website.<sup>22</sup>

### **Senate Appropriations Committee Markup and Report**

The Senate Appropriations Committee held a markup on June 18, 2009. The committee ordered reported an original bill, S. 1294.

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<sup>21</sup> The hall was renamed by P.L. 110-139, December 18, 2007, 121 Stat. 1491.

<sup>22</sup> Available at [http://rules.house.gov/amendment\\_details.aspx?NewsID=4315](http://rules.house.gov/amendment_details.aspx?NewsID=4315).

## FY2010 Legislative Branch Funding Issues

### Senate

#### Overall Funding

The Senate requested \$1.009 billion for its internal operations, an increase of \$114.2 million, or 12.8%, over the FY2009 level. The Senate-passed version of the bill contained \$933.99 million, a 4.4% increase. The FY2010 law provided \$926.16 million, a 3.5% increase.

FY2010 requests and FY2009 funding levels for headings within the Senate account are presented in **Table 7**.

#### Senate Committee Funding

Appropriations for Senate committees are contained in two accounts:<sup>23</sup>

- The *inquiries and investigations account* contains funds for all Senate committees except Appropriations. The request contains \$172.99 million for inquiries and investigations, an increase of 25.9% from the \$137.4 million provided in FY2009. The Senate-passed version of the bill contained \$145.5 million. The FY2010 law provided \$140.5 million, a 2.3% increase.
- The *Committee on Appropriations account*, for which \$15.84 million was requested, an increase of \$644,000, or 4.2%, over the FY2009 level of \$15.2 million. The Senate-passed version of the bill and the FY2010 law contained this level.

#### 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 consists 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 \$450.8 million was included in the request, which is 12.7% more than the \$400.0 million provided in FY2009. The Senate-passed version of the bill contained \$425.0 million. The FY2010 law provided \$422 million, an increase of 5.5%.

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<sup>23</sup> For additional information on committee funding, see CRS Report R40424, *Senate Committee Expenditures Resolutions, 111<sup>th</sup> Congress, and Funding Authorizations, 104<sup>th</sup> – 110<sup>th</sup> Congresses*, by (name redacted).

## House of Representatives

### Overall Funding

The House requested \$1.497 billion in budget authority for its internal operations, an increase of 15.05% (\$195.78 million) over the budget authority provided in the FY2009 Consolidated Appropriations Act. The House-passed level of \$1.375 billion contained a 5.7% increase over the FY2009 level. The FY2010 law provided \$1.369 billion, an increase of 5.2%.

FY2010 requests and FY2009 funding levels for headings in the House of Representatives account are presented in **Table 8**.

### House Committee Funding

Funding for House committees is contained in the appropriation heading “committee employees,” which comprises two subheadings.<sup>24</sup>

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 FY2010 request contains \$175.2 million, a 13.8% increase over the \$154.0 million provided in the FY2009 Omnibus Appropriations Act. The House-passed bill contained \$139.9 million, the same as contained in the FY2010 law. This level is 9.2% below the FY2009 level.

The second subheading contains funds for the personnel and nonpersonnel expenses of the Committee on Appropriations. The House-passed bill and FY2010 law contain \$31.3 million, the same as enacted for FY2009. The House had requested \$33.3 million, an increase of 6.4% over the FY2009 level.

### Members’ Representational Allowance

The Members’ Representational Allowance (MRA) is available to support Members in their official and representational duties. The House-passed and enacted level of \$660.0 million represent an 8.4% increase over the \$609.0 million provided in the FY2009 Omnibus. A total of \$699.3 million, a 14.8% increase, was contained in the FY2010 budget request. The FY2009 level represented an increase of 5.1% from the \$579.5 million provided in the FY2008 Consolidated Appropriations Act.

### Green the Capitol Initiative<sup>25</sup>

The Green the Capitol Initiative was created in March 2007, when Speaker Nancy Pelosi, Majority Leader Steny Hoyer, and the chair of the Committee on House Administration, the late

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<sup>24</sup> For additional information on committee funding, CRS Report R40204, *House Committee Funding, 111<sup>th</sup> Congress*, by (name redacted).

<sup>25</sup> This section on the “Green the Capitol Initiative” was contributed by (name redacted), Analyst on the Congress, Government and Finance Division. For additional information, see CRS Report RL34694, *Administering Green Programs in Congress: Issues and Options*, by (name redacted).

Representative Juanita Millender-McDonald, asked the Chief Administrative Officer (CAO) of the House, Daniel Beard, to provide an “environmentally responsible and healthy working environment for employees.”<sup>26</sup>

For FY2008, \$3.27 million was requested to implement the Green the Capitol Initiative, which included \$100,000 in the Architect of the Capitol’s House office buildings account for new light bulbs and \$500,000 in the Capitol Grounds section of the report for an E-85 gasoline pump.<sup>27</sup> The FY2008 Consolidated Appropriations Act provided \$3.9 million for new “green” initiatives, including \$100,000 for the House Office Buildings account, \$500,000 for the Capitol Grounds account, and \$3.27 million for the Capitol Power Plant.<sup>28</sup> In addition, the FY2008 Consolidated Appropriations Act included an amendment to 2 U.S.C. § 117m(b), which governs the operation of the House Services Revolving Fund, allowing the CAO to use the revolving fund for environmental activities, including energy and water conservation, in buildings, facilities, and grounds under his jurisdiction.<sup>29</sup>

For FY2009, the CAO requested \$2 million for the Green the Capitol Initiative.<sup>30</sup> Although not specifically addressed in P.L. 111-8 or the explanatory statement, the program received \$1 million according to the House Committee on Appropriations press release.<sup>31</sup>

The FY2010 request contains \$10 million for energy demonstration projects. The House-passed bill and the FY2010 law would provide \$2.5 million.

## Support Agency Funding

### U.S. Capitol Police

The FY2010 request and FY2009 funding level is presented in **Table 5**.

The Capitol Police originally requested \$410.1 million for FY2010, including \$71.6 million for a new radio system, although funding for that project was subsequently included in the FY2009 supplemental request and in P.L. 111-32, the FY2009 Supplemental Appropriations Act.<sup>32</sup>

The remaining \$338.5 million request, not including the radio project, represents a 10.7% increase over the \$305.75 million provided in the FY2009 Omnibus. The House-passed level of

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<sup>26</sup> U.S. Congress, Chief Administrative Officer, *Green the Capitol Initiative Final Report*, 110<sup>th</sup> Cong., 1<sup>st</sup> sess. <http://cao.house.gov/greenthecapitol/green-the-capitol-final-report.pdf>.

<sup>27</sup> U.S. Congress, House Committee on Appropriations, *Legislative Branch Appropriations, 2008*, report to accompany H.R. 2771, 110<sup>th</sup> Cong., 1<sup>st</sup> sess., H.Rept. 110-198 (Washington: GPO, 2007), p. 59. For additional information on this fuel, see CRS Report RL33290, *Fuel Ethanol: Background and Public Policy Issues*, by (name redacted).

<sup>28</sup> The funds were provided in P.L. 110-161, 121 Stat. 1844, Dec. 26, 2007. See also, U.S. Congress, House Committee on Appropriations, *Consolidated Appropriations Act, 2008*, committee print, 110<sup>th</sup> Cong., 1<sup>st</sup> sess. (Washington: GPO, 2008), pp. 1887-1888.

<sup>29</sup> The amendment to 2 U.S.C. § 121m was provided in P.L. 110-161, 121 Stat. 2225, Dec. 26, 2007.

<sup>30</sup> *Justification of Budget Estimates*, in U.S. Congress, House Committee on Appropriations, Subcommittee on the Legislative Branch, *Legislative Branch Appropriations for 2009*, hearings, part 1, 110<sup>th</sup> Cong., 2<sup>nd</sup> sess. (Washington: GPO, 2008), p. 100.

<sup>31</sup> Available at <http://appropriations.house.gov/pdf/LBfy0902-23-09.pdf>.

<sup>32</sup> The request is available at [http://www.whitehouse.gov/omb/assets/budget\\_amendments/supplemental\\_04\\_09\\_09.pdf](http://www.whitehouse.gov/omb/assets/budget_amendments/supplemental_04_09_09.pdf).

\$325.1 million contained an increase of 6.3%. The Senate-passed version of the bill contained \$331.6 million, an 8.4% increase. The FY2010 law provided \$328.3 million.

Previously, the FY2009 Omnibus provided an 8.5% increase over the \$281.9 million provided in the FY2008 Consolidated Appropriations Act, which represented an increase of 6.1% over the \$265.6 million (including supplemental appropriations) provided in FY2007.

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; overtime pay; 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.

The House-passed bill contained \$263.2 million for salaries (an increase of 6.1%, rather than the requested increase of 8.3%) and \$61.9 million for general expenses (an increase of \$4.2 million, or 7.2%, from the \$57.8 million provided in the FY2009 Omnibus Appropriations Act). The Senate-passed version of the bill contained \$267.2 million for salaries (a 7.7% increase) and \$64.4 million for general expenses (an 11.4% increase). The FY2010 law provided \$265.2 million and \$63.13 million for salaries and general expenses.

A second appropriation relating to the Capitol Police appears within the Architect of the Capitol account for Capitol Police buildings and grounds. The FY2010 law provided \$27 million, an increase of 42.2% from the nearly \$19 million provided in FY2009. The House-passed level of \$26.4 million represented an increase of 38.8%. The Senate-passed level of \$26.2 million represented an increase of 37.7%. The Architect had requested \$30.8 million, an increase of 62.0%. The FY2009 level was a 27.2% increase over the \$14.9 million provided in FY2008.

### ***Highlights of the House and Senate Hearings on the U.S. Capitol Police***

The cost of the new radio system was discussed at length at both the House and Senate hearings. Topics addressed included the final cost of the project, as well as increases from previous projections, the appropriate timing of funding, the expected life of the new system, and competitive bidding for the radio contract. The House also discussed a number of staffing concerns, including the impact of new FTEs (full-time equivalents) and the opening of the CVC on overtime compensation, and the implementation of recommendations from a recent manpower study.

### **Architect of the Capitol**

The Architect of the Capitol (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 Visitor 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.



### *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 FY2010 law includes \$601.6 million, an increase of 13.6% over the FY2009 level. The report includes \$50 million for the House Historic buildings revitalization fund. The House-passed bill included an initial payment of \$60 million for this heading, which was not contained in the Senate version.

The Architect of the Capitol (AOC) had requested a total of \$644.6 million for FY2010, a 21.7% increase from the \$529.6 million provided in the FY2009 Omnibus. The FY2009 level represented an increase of \$116.1 million (28%) over the FY2008 level of \$413.5 million, while the AOC had requested \$642.7 million in new budget authority, a 55.4% increase. The FY2008 budget authority had represented a decrease of 8.1% from the \$449.9 million (including supplemental appropriations) provided in FY2007.

The FY2010 request and FY2009 funding level for each of the AOC accounts is presented in **Table 6**.

### *Capitol Visitor Center (CVC)<sup>33</sup>*

The AOC requested \$24.6 million for FY2010 for the operations of the Capitol Visitor Center (CVC). This represents a decrease of nearly 39% from the total funding provided in FY2009, which included \$31.1 million for the CVC project and \$9.1 million for operational costs. The CVC opened to the public on December 2, 2008.

The House-passed bill contained \$23.1 million for the CVC. The Senate-passed version of the bill contained \$22.8 million. The FY2010 law provided \$22.5 million, a decrease of more than 44% from the FY2009 level.

### *Capitol Power Plant Utility Tunnels<sup>34</sup>*

The condition of the Capitol Power Plant utility tunnels, and the funds necessary to repair them, have been discussed during appropriations hearings in recent fiscal years. 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

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<sup>33</sup> For additional information on the Capitol Visitor Center, see CRS Report RL31121, *The Capitol Visitor Center: An Overview*, by Stephen W. Stathis.

<sup>34</sup> For additional information, see CRS Report R40563, *Capitol Power Plant Utility Tunnels: Background and Oversight Options*, by (name redacted) and CRS Report R40433, *The Capitol Power Plant: Background and Greening Options*, by (name redacted) and (name redacted).

conditions, and efforts to address workers' concerns.<sup>35</sup> 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 since 2006. Other committees have also expressed concern about the utility tunnels and allegations of unsafe working conditions. For example, the 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,<sup>36</sup> and an additional \$50 million was provided in emergency supplemental appropriations for FY2007.<sup>37</sup> The Architect of the Capitol had requested \$24.77 million for FY2008.<sup>38</sup> 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.<sup>39</sup>

According to the explanatory statement produced by the Committee on Appropriations, the FY2009 Omnibus provides \$56.4 million for the utility tunnel project.<sup>40</sup> The Architect had requested \$126.65 million to meet the terms of the settlement agreement. AOC indicated in its budget justification that "the bulk of this work will begin in early calendar year 2009, and will extend through the spring of 2011."<sup>41</sup>

The FY2010 budget request contained \$45.77 million for the tunnel program. During the House hearing on April 23, 2009, the Acting Architect testified that the utility tunnel abatement project is

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<sup>35</sup> 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>.

<sup>36</sup> P.L. 109-234, 120 Stat. 48, June 15, 2006. 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.

<sup>37</sup> P.L. 110-28, 121 Stat. 112, May 25, 2007.

<sup>38</sup> *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, 110<sup>th</sup> Cong., 1<sup>st</sup> sess. (Washington: GPO, 2007), p. 521.

<sup>39</sup> U.S. Congress, Senate Committee on Appropriations, *Legislative Branch Appropriations, 2008*, report to accompany S. 1686, 110<sup>th</sup> Cong., 1<sup>st</sup> 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, 110<sup>th</sup> Cong., 1<sup>st</sup> sess., H.Rept. 110-198 (Washington: GPO, 2007), p. 20.

<sup>40</sup> *Congressional Record*, Feb. 23, 2009, p. H2396.

<sup>41</sup> *Justification of Budget Estimates*, in U.S. Congress, House Committee on Appropriations, Subcommittee on the Legislative Branch, *Legislative Branch Appropriations for 2009*, hearings, part 1, 110<sup>th</sup> Cong., 2<sup>nd</sup> sess. (Washington: GPO, 2008), p. 418.

ahead of schedule and under budget. The House-passed bill contained \$16.85 million.<sup>42</sup> The Senate also provided this total, stating the following:<sup>43</sup>

To date, \$134,000,000 has been appropriated to abate these hazards. While AOC originally requested \$45,770,000 for fiscal year 2010 to continue the tunnel program, it has reassessed its plans for repairs. AOC was able to decrease the fiscal year 2010 estimate to \$16,850,000 with a modified plan that will still meet the Office of Compliance settlement agreement. The revised total cost of the utility tunnel project is now \$176,130,000. The Committee commends these efforts and requires that the AOC continue to evaluate assessments and immediately report any changes to current and projected costs. The Committee's firm expectation is that the AOC will meet the June 2012 commitment to abate safety and health hazards within the tunnels.

The conference agreement contained the \$16.85 million provided in the House and Senate versions of the bill.

### *Administrative Provisions*

The FY2010 budget request includes language, some of which was revised or resubmitted from the FY2009 request, that would

1. grant the AOC authority to implement specified procedures established in the Federal Acquisition Streamlining Act;
2. allow the AOC to retain proceeds from the lease of its facilities to commercial entities;
3. allow the AOC to enter into multi-year leases;
4. allow the AOC to incur expenses and accept donations related to in certain emergencies, as determined by the Capitol Police Board;
5. allow the AOC to retain funds from energy and water savings for other conservation projects;
6. authorize the AOC to dispose of, and retain receipts from the sale of, surplus or obsolete property;
7. establish an AOC Senior Executive Service;
8. continue a flexible work schedule program;
9. amend the statute governing the authority for death gratuities for survivors of AOC employees;
10. provide early retirement authority;
11. authorize the hiring of disabled veterans through a non-competitive process;
12. provide for the acceptance of voluntary student services;

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<sup>42</sup> U.S. House of Representatives, Committee on Appropriations, *Legislative Branch Appropriations Bill, 2010*, H.Rept. 111-160, (Washington, GPO: 2009) p. 21.

<sup>43</sup> U.S. House of Representatives, Committee on Appropriations, *Legislative Branch Appropriations Bill, 2010*, S.Rept. 111-29, (Washington, GPO: 2009), p. 33.

13. allow the AOC to enter into agreements with private entities for the benefit of the Botanic Garden; and
14. extend the Capitol grounds to include an additional parcel of D.C. that is now used for AOC and USCP parking.<sup>44</sup>

In addition to the administrative provision establishing the Historic Buildings Revitalization Trust Fund, the House-passed bill contains provisions related to: (1) expenditures and acceptance of donations during certain emergencies; (2) a flexible work schedule program; and (3) the acceptance of voluntary student services.

The Senate-passed bill also includes provisions related to a flexible work schedule program and the acceptance of voluntary student services, as well as provisions authorizing the disposition of surplus or obsolete personal property, the noncompetitive appointment of disabled veterans, and a contract for the sale of refreshments at the Botanic Garden.

The FY2010 law includes the provisions related to (1) expenditures and acceptance of donations during certain emergencies; (2) a flexible work schedule program; (3) the acceptance of voluntary student services; (4) the disposition of surplus or obsolete personal property; and (5) the Historic Buildings Revitalization Trust Fund.

### ***Highlights of the House and Senate Hearings on the Architect of the Capitol***

At the House hearing on April 23, 2009, the subcommittee discussed the condition of buildings around the Capitol Complex and deferred-maintenance issues, with a particular focus on the House garages and repairs to the plumbing, roof, electrical equipment, and exterior stone of the Cannon House Office Building. Shortly after the hearing, on May 6, 2009, the Committee on House Administration held a hearing on the conditions of the House Office Buildings.<sup>45</sup>

Topics at the Senate hearing on May 7, 2009, included the percentage of the AOC budget that is requested to respond to citations issued by the Office of Compliance (see “Office of Compliance” section) and long-term plans for the Capitol Power Plant.

At both the House and Senate hearings, Members discussed the Architect’s “greening” programs, including projects at the Capitol Power Plant, the application of the Energy Independence and Security Act of 2007 to the legislative branch, and efforts to meet the requirements of this act.

### **Congressional Budget Office (CBO)**

CBO is a nonpartisan congressional agency created to provide objective economic and budgetary analysis to Congress. CBO cost estimates are required for any measure reported by a regular or conference committee that may vary revenues or expenditures.<sup>46</sup>

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<sup>44</sup> *Justification of Budget Estimates*, in U.S. Congress, House Committee on Appropriations, *Subcommittee on the Legislative Branch, Legislative Branch Appropriations for 2009*, hearings, part 1, 111<sup>th</sup> Cong., 1<sup>st</sup> sess. (Washington: GPO, 2009), pp. 458-477.

<sup>45</sup> Additional information on the hearing, including a webcast and printed opening statements, is available on the committee’s website at [http://cha.house.gov/view\\_hearing.aspx?t=49](http://cha.house.gov/view_hearing.aspx?t=49).

<sup>46</sup> The Congressional Budget Office is required to use estimates provided by the Joint Committee on Taxation for all (continued...)

The FY2010 law, as well as the House-passed and Senate-passed versions of the bill, provides \$45.2 million, a 2.5% increase from the \$44.1 million provided in the FY2009 Omnibus Appropriations Act. The law also contained a provision amending the executive exchange program to increase participation from not more than three to not more than five individuals (2 U.S.C. 611 note).

CBO requested \$46.4 million for FY2010, a 5.2% increase. The FY2009 level represented an increase of \$6.8 million (18.2%) over the \$37.3 million provided in the FY2008 Consolidated Appropriations Act. The FY2009 levels do not include the \$2.0 million, to remain available through FY2010, contained in the FY2009 Supplemental Appropriations Act (H.R. 2346).

### ***Highlights of the House Hearing on the FY2010 Budget of the CBO***

CBO Director Douglas Elmendorf testified that the agency is requesting 254 FTEs for FY2010, an increase of 4 FTEs from the FY2009 approved level. He indicated that CBO may not reach the maximum authorized level this year since the hiring process has been slow and the final level was not approved until the fiscal year was underway. The subcommittee discussed CBO's hiring process, with questions about diversity as well as challenges in competing for talent and the starting salary for CBO analysts. As with many legislative branch agencies, CBO indicated that lack of space is a concern.

### **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 analysis 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 FY2010 law provided \$643.3 million, an increase of 6.0% over the FY2009 level of \$607.1 million. The House-passed bill contained \$647.4 million, an increase of 6.6% over the FY2009 Omnibus level. The Senate-passed version contained \$638.6 million, or a 5.2% increase. The Library requested \$658.4 million for FY2010, an 8.5% increase.<sup>47</sup> The FY2009 level represented an increase of approximately 7.8% over the \$563 million provided in the FY2008 Consolidated Appropriations Act. These figures do not include additional authority to spend receipts.<sup>48</sup>

The FY2010 budget contains the following heading requests:

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(...continued)

revenue legislation (Balanced Budget and Emergency Deficit Control Act of 1985, P.L. 99-177, sec. 273, 99 Stat.1098, Dec. 12, 1985; 2 U.S.C. §621 (et seq.)).

<sup>47</sup> This percentage is not adjusted for non-recurring costs, including the transfer of the Library of Congress Police to the Capitol Police.

<sup>48</sup> An example of receipts are fees paid to the LOC for copyright registration.

- Salaries and expenses—The FY2010 law provided \$439.8 million, an increase of 6.6% over the FY2009 level of \$412.7 million. The House-passed bill contained \$443.9 million, an increase of 7.6% over the FY2009 level. The Senate-passed bill contained \$434.7 million, or a 5.3% increase. The Library had requested \$452.2 million, an increase of 9.6%. Both the House-passed bill and the request include an additional authority to spend \$6.35 million in receipts.
- Copyright Office—The FY2010 law, as well as the House-passed and Senate-passed versions of the bill and the FY2010 request, provided \$20.9 million (not including authority to spend \$34.6 million in receipts). This level represents a 14.2% increase over the \$18.3 million (not including authority to spend \$33.3 million in receipts) provided in FY2009.
- Congressional Research Service—The FY2010 law provided \$112.49 million, an increase of 4.8% over the \$107.3 million provided in FY2009. This level was included in the House-passed bill. The Senate-passed bill contained \$112.8 million, a 5.1% increase. A 7.3% increase, or \$115.1 million, was requested.
- Books for the Blind and Physically Handicapped—The FY2010 law, and the House-passed and Senate-passed versions of the bill, provided \$70.2 million, an amount equal to the request. This represents a 2.0% increase over the \$68.8 million provided in FY2009.

The Architect's budget also contains funds for the Library buildings and grounds. The FY2010 law provided nearly \$45.8 million, an increase of 17.1% from the FY2009 enacted level of \$39.1 million. The House-passed bill contained \$41.9 million (a 7.3% increase). The Senate-passed version contained \$40.8 million, or an increase of 4.2%. A total of \$69.1 million was requested (a 76.9% increase).

### ***Highlights of the House and Senate Hearings on FY2010 Budget of the LOC, Including CRS***

The House subcommittee discussed the Library's budget request on April 29, 2009. Among the topics discussed were (1) the backlog in processing new registrations at the copyright office; (2) the budget of the Law Library and the potential for it to attract private funding; (3) the history and cost of the digital talking book initiative; (4) the completion of the merger between the Capitol Police and Library of Congress police by the end of FY2009; (5) the Library's storage capacity and how it determines what needs to be preserved and the accessibility of items at the main Library buildings and in remote storage; (6) the establishment of a new management structure at CRS, including the recruitment and background of new managers; and (7) CRS products, including a discussion of format and electronic availability.

At its hearing on June 4, 2009, the Senate subcommittee also discussed the backlog in copyright processing, new information technology requests, and the status of the digital talking book initiative. Additionally, the Senate subcommittee asked questions about the Library's overseas offices, including the history and need for the foreign books acquisition program, costs for the Library and shared costs with program participants, and security costs assessed by the State Department. The subcommittee also examined the Library's request for storage modules in Ft. Meade, MD, including funds to relocate parts of the collection to Modules #3 and #4 and construct Module #5, and discussed interest in the private sector to help fund the law library.

At the hearings, the Librarian of Congress, Dr. James H. Billington, indicated that the Library has been working with the Committee on House Administration on new language that would encourage outside funding for the law library. On June 10, 2009, the House Administration Committee ordered reported with amendments H.R. 2728, the William Orton Law Library Improvement and Modernization Act. The bill was passed by the House on July 30, 2009 (Roll No. 278, 383-44). The bill has been referred to the Senate Committee on Rules and Administration. As of the date of this report, no further action has been taken in the Senate.

### *Administrative Provisions*

The Library requested a number of administrative provisions for FY2010, which would provide

1. regular authority to obligate funds for reimbursable and revolving fund activities;
2. transfer authority among Library of Congress headings;
3. a clarification of the pay authorities related to senior-level Library employees following the enactment of the Senior Professional Performance Act of 2008 (P.L. 110-372) and leave carryover provisions for statutory positions following the enactment of the FY2008 National Defense Authorization Act (P.L. 110-181);
4. authority for expenses related to the incentive awards program;
5. an increase in the cap on the rate of pay for temporary experts and consultants to Level IV of the Executive Schedule (\$153,200 in 2009); and,
6. revisions to the Library of Congress gift authority provisions to allow the Librarian to directly accept certain gifts.

With the exception of the final two provisions listed, the House-passed bill includes the provisions the Library requested. The Senate-passed version contains the first three provisions. The FY2010 law included the first three provisions mentioned above, and the conference agreement directed the Librarian to establish the “Archie Green Fellowship Program at the American Folklife Center.”<sup>49</sup>

### **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.<sup>50</sup> Formerly the General Accounting Office, the agency was renamed the Government Accountability Office effective July 7, 2004.

The FY2010 law provided \$556.8 million. The House-passed bill contained \$558.8 million and the Senate-passed bill contained \$553.7 million. GAO received \$531.0 million, not including offsetting collections,<sup>51</sup> in the FY2009 Omnibus Appropriations Act and an additional \$25 million

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<sup>49</sup> U.S. Congress, *Legislative Branch Appropriations, 2010*, H.Rept. 111-265, conference report to accompany H.R. 2918 (Washington, GPO: 2009) p. 40.

<sup>50</sup> 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>.

<sup>51</sup> Offsetting collections include funds derived from reimbursable audits and rental of space in the GAO building.

in P.L. 111-5 to cover responsibilities under the American Recovery and Reinvestment Act of 2009.

### **Highlights of House Hearing on FY2009 Budget of the GAO**

The House subcommittee discussed the \$25 million provided to GAO under the American Recovery and Reinvestment Act of 2009,<sup>52</sup> asking if the funding was sufficient to cover GAO's responsibilities under the act. The subcommittee also discussed congressional understanding of GAO's workload and the costs associated with requests and reports. While some statutory provisions requiring GAO reports were repealed in the FY2009 Omnibus, the Acting Comptroller General stated additional provisions may be outdated. The subcommittee also addressed a number of employment-related issues, including the establishment of the GAO employee union and its current relationship with GAO management, succession planning, and the role of the GAO internship program in recruitment and retention.

### **Government Printing Office (GPO)**

The FY2010 law provided nearly \$147.5 million, an increase of 4.9% over the \$140.6 million provided in the FY2009 Omnibus Appropriations Act. The House-passed bill would have provided \$146.2 million, or a 4.0% increase. The Senate-passed version of the bill would have provided \$146.99 million, a 4.6% increase. The Government Printing Office requested \$166.3 million for FY2010, an increase of 18.3%. The FY2009 level represented an increase of 12.7% over the \$124.7 million provided in the FY2008 Consolidated Appropriations Act.

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. FY2009 levels for these accounts are:

- Congressional printing and binding—The House and Senate passed versions of the bill, which are equal to the GPO request, contain \$93.3 million. This represents a decrease of 3.7% from the \$96.8 million provided in FY2009. The FY2010 law provided \$93.77 million, a decrease of 3.2% from the FY2009 level. GPO testified that the reduced request was achievable because of the elimination of a shortfall in this account through funds provided in FY2009.<sup>53</sup>
- Office of Superintendent of Documents (salaries and expenses)—The FY2010 law, the House and Senate passed versions of the bill, and the GPO request, all contain \$40.9 million, an increase of 5.6% from the \$38.7 million provided in FY2009. The FY2009 level represented an increase of nearly 11% from the \$34.9 million provided in the Consolidated Appropriations Act.
- Revolving fund—The House-passed bill contained \$12.0 million. The Senate-passed version of the bill contained \$12.8 million. The FY2010 law contained the level from the Senate-passed version of the bill. GPO requested \$32.1 million. In FY2009, GPO received nearly \$5 million for the revolving fund and had

<sup>52</sup> P.L. 111-5, Feb. 17, 2009.

<sup>53</sup> The elimination of this deficit is noted in the FY2009 explanatory statement: *Congressional Record*, Feb. 23, 2009, p. H2397.



requested \$33 million. The FY2008 Consolidated Appropriations Act did not include an appropriation for the revolving fund.

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.

### ***Highlights of House Hearing on FY2010 Budget of the GPO***

At the House hearing on April 28, 2009, Members of the subcommittee asked about the number of “equal employment opportunity” (EEO) complaints at GPO. The Chair asked Public Printer Robert C. Tapella to update a report required last year on the number of active EEO cases and compare this level to complaints at other federal agencies. Stating that approximately 25% of GPO employees are eligible for retirement, the Public Printer also discussed succession planning and recruitment and retention issues.

### **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.<sup>54</sup> The act applies various employment and workplace safety laws to Congress and certain legislative branch entities.<sup>55</sup>

The conference report contains \$4.377 million, an increase of 7.5% from the \$4.1 million provided in the FY2009 Omnibus. The House-passed bill contained \$4.335 million, an increase of 6.5%. The Senate-passed version of the bill contained \$4.418 million, an 8.5% increase. The Office of Compliance requested \$4.47 million for FY2010, an increase of nearly 10%. The

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<sup>54</sup> P.L. 104-1, 109 Stat. 3, Jan. 23, 1995. The act, as amended, applies 12 civil rights, labor, and workplace safety laws to Congress and certain legislative branch agencies. These laws are the 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.

<sup>55</sup> 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.

FY2009 level represented an increase of 21.8% over the FY2008 level of \$3.3 million, which was an increase of 6.5% over the \$3.1 million made available in FY2007.

Both the House and Senate subcommittees discussed the office's request for a new position to replace a Department of Labor detailee whose service to the office will be ending as well as progress on ameliorating conditions in the Capitol Power Plant utility tunnels. The House requested a report on the scope of any health and life-safety problems around the Capitol Complex and the efforts to address them, including the current number of infrastructure citations.

The violations cited by the office were also discussed in the Senate, with Members asking for a comparison to standards in the executive branch, the applicability of these standards to historic and closely-monitored buildings, the costs associated with resolving the violations, and the timing of any renovations and coordination with other planned or required renovations.

The conference report also addressed the standards applied to legislative branch buildings, stating:

The conferees are concerned that the Congressional Accountability Act of 1995 may enable the Office of Compliance (OOC) to apply a higher enforcement standard for certain health and safety standards than those applied to the Executive Branch and private sector. Strict statutory deadlines for remedying citations exacerbate this situation, and have led AOC to give highest priority to projects for which OOC has issued citations regardless of whether they represent the highest risk to health and safety.

The conferees believe that the standards applied to the legislative branch should be consistent with their application to the private sector and the executive branch. Therefore, the conferees expect the Office of Compliance General Counsel (OOCGC) to work with legislative branch agency heads to implement corrective actions in a realistic and reasonable time frame, taking into consideration the risks the deficiencies pose, the costs involved in remedying the deficiencies, as well as mitigating factors which have been implemented (sprinklers, alarms, and other building improvements) to reduce risk. The conferees expect the OOCGC to amend its regulations to establish criteria that use a comprehensive risk-based approach, including the cost of remedial actions as well as building renovations planned for the future, in working with agencies to address needed corrections.<sup>56</sup>

## **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.<sup>57</sup> In 2004, Congress further extended the

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<sup>56</sup> U.S. Congress, *Legislative Branch Appropriations, 2010*, H.Rept. 111-265, conference report to accompany H.R. 2918 (Washington, GPO: 2009) p. 35.

<sup>57</sup> P.L. 106-554, 114 Stat. 2763, 2763A-120, Dec. 21, 2000; P.L. 108-7, 117 Stat. 382, Feb. 20, 2003. According to the 2003 act, the additional countries include "any country specified in section 3 of the FREEDOM Support Act (22 U.S.C. (continued...))

program's eligibility to other countries designated by the center's board of trustees, subject to congressional consideration.<sup>58</sup> The center is housed in the Library and receives services from the Library through an inter-agency agreement.

The FY2010 law provided \$12 million, a decrease of 13.7% from the \$13.90 million provided in the FY2009 Omnibus. The House-passed bill contained \$9 million, a decrease of 35.3%. The Senate-passed version of the bill and the FY2010 budget request contain nearly \$14.5 million for Open World, a 4% increase. In FY2008, Open World received \$8.98 million in budget authority, a decrease of 35% from the \$13.86 million provided in FY2007 and FY2006.

Open World also requested an administrative provision, which was included in amendments to the FY2010 budget request transmitted by the President on May 21, 2009.<sup>59</sup> The proposed language would (1) amend the Board membership to specify that the four appointees of the President pro tempore and Speaker shall be Members of the Senate and House of Representatives; (2) amend the language in the "purpose" section to recognize that the program now exists outside Russia and to authorize the Center to engage program alumni in additional activities; (3) authorize the provision of grants to organizations outside of the United States; (4) authorize the use of funds to engage alumni in program activities outside of the United States; (5) authorize the Librarian to appoint the Executive Director on behalf of the Board; and (6) allow the Librarian, rather than the Secretary of State, to waive annuity restrictions for reemployment in Center positions.

The Senate-passed version of the bill includes the administrative provisions amending the Board membership and clarifying the Librarian's authority to appoint the Executive Director on behalf of the Board. These amendments were included in the law.

### *Discussion of Location of Open World*

The location of Open World at the Library of Congress, as well as its inclusion in the legislative branch budget, has been a topic of discussion at appropriations hearings in recent fiscal years.

As in previous years, the House Legislative Branch Subcommittee examined whether the program should be located within the legislative branch at the Library of Congress, within the judiciary, or within the executive branch at the State Department, during a FY2010 budget hearing on April 29, 2009.

Previously, during a hearing on the FY2009 budget, Ambassador John O'Keefe, the executive director of Open World, testified that the program may attract different participants if associated with the executive branch rather than the Library of Congress.<sup>60</sup> The FY2009 explanatory

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(...continued)

5801," and "Estonia, Latvia, and Lithuania." The countries specified in 22 U.S.C. 5801 are Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

<sup>58</sup> P.L. 108-447, 118 Stat. 3192, Dec. 8, 2004.

<sup>59</sup> Available at [http://www.whitehouse.gov/omb/assets/budget\\_amendments/amendment\\_05\\_21\\_09.pdf](http://www.whitehouse.gov/omb/assets/budget_amendments/amendment_05_21_09.pdf).

<sup>60</sup> Testimony of Ambassador John O'Keefe, executive director, U.S. Congress, House Committee on Appropriations, Subcommittee on the Legislative Branch, *Legislative Branch Appropriations for 2009*, hearings, 110<sup>th</sup> Cong., 2<sup>nd</sup> sess., March 12, 2008 (Washington: GPO, 2008), pp. 359-420.

statement directed the Open World Leadership Center Board of Trustees to work with the State Department and the Judiciary to establish a shared funding mechanism.<sup>61</sup>

The subcommittee also had discussed this issue during the FY2008 appropriations cycle,<sup>62</sup> and language was included in the FY2008 Consolidated Appropriations Act requiring Open World to prepare a report by March 31, 2008, on “potential options for transfer of the Open World Leadership Center to a department or agency in the executive branch, establishment of the Center as an independent agency in the executive branch, or other appropriate options.”<sup>63</sup>

The House full committee print states that “the Legislative Branch Subcommittee has been clear that it expects the Open World program to become financially independent of funding in this bill as soon as possible.”<sup>64</sup> This sentiment was also expressed in the conference report, which stated:

The conferees are fully supportive of expanded efforts of the Open World Center to raise private funding and expect this effort to reduce the requirements for funding from the Legislative Branch appropriations bill in future years. The Committees look forward to a report of progress being made by the Center’s fundraising program prior to hearings on its fiscal year 2011 budget request.<sup>65</sup>

### **John C. 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 conference report, the FY2010 House- and Senate-passed versions of the bill, and the FY2010 request, contain \$430,000 for the Stennis Center. The FY2009 Omnibus provided \$430,000, which was equal to the request as well as the amount contained in the FY2008 House-passed bill and the Senate-reported bill. The FY2008 Consolidated Appropriations Act provided \$429,000, including a rescission.

### **Technology Assessments for Congress<sup>66</sup>**

Since the closure of the Office of Technology Assessment (OTA), which was a legislative branch agency established in 1972 and last funded in FY1996,<sup>67</sup> congressional appropriators have

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<sup>61</sup> *Congressional Record*, Feb. 23, 2009, p. H2398.

<sup>62</sup> In H.R. 2771 (110<sup>th</sup> Cong.), the House-passed version of the FY2008 appropriations bill, 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 (S. 1686, 110<sup>th</sup> Cong.) would have provided \$13.5 million in new budget authority for Open World.

<sup>63</sup> P.L. 110-161, 121 Stat. 2251, Dec. 26, 2007.

<sup>64</sup> U.S. House of Representatives, Committee on Appropriations, *Legislative Branch Appropriations Bill, 2010*, H.Rept. 111-160, (Washington, GPO: 2009) p. 29.

<sup>65</sup> U.S. Congress, *Legislative Branch Appropriations, 2010*, H.Rept. 111-265, conference report to accompany H.R. 2918 (Washington, GPO: 2009) p. 42.

<sup>66</sup> For additional information, see CRS Report RS21586, *Technology Assessment in Congress: History and Legislative Options*, by (name redacted).

<sup>67</sup> P.L. 92-484, Oct. 13, 1972, 86 Stat. 797; P.L. 104-53, Nov. 19, 1995, 109 Stat. 526

periodically reexamined funding for scientific studies by the legislative branch.<sup>68</sup> In recent Congresses, some Members have expressed support for the refunding of OTA through the distribution of “Dear Colleague” letters<sup>69</sup> and the introduction of legislation.<sup>70</sup> Other Members have suggested that technology assessments may be conducted more cost-effectively by existing legislative branch agencies.

The FY2008 Consolidated Appropriations Act provided \$2.5 million to GAO for technology assessments.<sup>71</sup> The FY2009 explanatory statement indicates that funding continues to be provided for these studies.<sup>72</sup>

On May 5, 2009, the House subcommittee invited Members and public witnesses to testify on their interests for FY2010. Representative Rush Holt asked the subcommittee to provide \$35 million for the re-funding of the OTA. The subcommittee discussed the possibility of other legislative branch agencies—including CRS and GAO—conducting these studies, with the dialogue including the methodologies used by these agencies; the relative costs of expanding one agency versus reestablishing OTA; timeliness of OTA’s analysis; and the ability of Congress to obtain technology assessments from outside entities.

The House report indicates that funding is provided “at the fiscal year 2009 level for GAO to conduct technology assessment studies.”<sup>73</sup>

**Table 4. Legislative Branch Appropriations, FY2010**

(in thousands of dollars)

Entity	FY2009 Enacted <sup>a</sup>	FY2010 Request	FY2010 House-Passed Bill	FY2010 Senate-Passed Bill	FY2010 Enacted
<b>Title I: Legislative Branch Appropriations</b>					
Senate	895,030	1,009,240	— <sup>d</sup>	933,986	926,160
House of Representatives	1,301,267	1,497,055	1,375,300	1,375,200 <sup>e</sup>	1,369,025
Joint Items	29,220	22,876	21,414	21,353	21,323
Capitol Police <sup>b</sup>	305,750	410,069	325,112	331,557	328,318

<sup>68</sup> See, for example, U.S. Congress, House Committee on Appropriations, Subcommittee on the Legislative Branch, *Legislative Branch Appropriations for 2006*, hearings, part 2, 109<sup>th</sup> Cong., 1<sup>st</sup> sess. (Washington: GPO, 2005), p. 382; U.S. Congress, Senate Committee on Appropriations, Subcommittee on the Legislative Branch, *Legislative Branch Appropriations for 2008*, hearings, 110<sup>th</sup> Cong., 1<sup>st</sup> sess., March 16, 2007 (Washington: GPO, 2008), pp. 75-76; U.S. Congress, House Committee on Appropriations, Subcommittee on the Legislative Branch, *Legislative Branch Appropriations for 2008*, hearings, part 2, 110<sup>th</sup> Cong., 1<sup>st</sup> sess. (Washington: GPO, 2007), pp. 208-209; U.S. Congress, House Committee on Appropriations, Subcommittee on the Legislative Branch, *Legislative Branch Appropriations for 2009*, hearings, part 2, 110<sup>th</sup> Cong., 2<sup>nd</sup> sess. (Washington: GPO, 2008), p. 682.

<sup>69</sup> See, for example, House “Dear Colleague” letters of January 7, 2003; July 8, 2004; May 24, 2007; May 31, 2007; and May 18, 2009.

<sup>70</sup> See, for example, H.R. 125 (108<sup>th</sup> Cong.); H.R. 2148 (107<sup>th</sup> Cong.), and amendments to H.R. 1854 (104<sup>th</sup> Cong.).

<sup>71</sup> *Congressional Record*, Dec. 17, 2007, p. 16373.

<sup>72</sup> *Congressional Record*, Feb. 23, 2009, p. H2397.

<sup>73</sup> U.S. House of Representatives, Committee on Appropriations, *Legislative Branch Appropriations Bill, 2010*, H.Rept. 111-160, (Washington, GPO: 2009) p. 29.

Entity	FY2009 Enacted <sup>a</sup>	FY2010 Request	FY2010 House-Passed Bill	FY2010 Senate-Passed Bill	FY2010 Enacted
Office of Compliance	4,072	4,474	4,335	4,418	4,377
Congressional Budget Office	44,082	46,365	45,165	45,165	45,165
Architect of the Capitol	529,586	644,609	541,391 <sup>f</sup>	545,889 <sup>g</sup>	601,586
Library of Congress, Including CRS	607,096	658,409	647,397	638,565	643,337
<i>Congressional Research Service,     Lib. of Cong.</i>	<i>107,323</i>	<i>115,136</i>	<i>112,490</i>	<i>112,836</i>	<i>112,490</i>
Government Printing Office	140,567	166,307	146,207	146,989	147,461
Government Accountability Office	531,000	567,497	558,849	553,658	556,849
Open World Leadership Center <sup>c</sup>	13,900	14,456	9,000	14,456	12,000
Stennis Center for Public Service	430	430	430	430	430
<b>Title II: General Provisions</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Legislative Branch (Titles I and II)</b>	<b>4,402,000</b>	<b>5,041,787</b>	<b>3,674,600</b>	<b>4,611,666</b>	<b>4,656,031</b>

**Source:** The *U.S. Budget*, P.L. 111-8, H.Rept. 111-160, S.Rept. 111-29, and H.Rept. 111-265.

- a. FY2009 funds are contained in P.L. 111-8.
- 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 Senate does not consider appropriations for internal House operations.
- f. The House does not consider appropriations for Senate office buildings.
- g. The Senate does not consider appropriations for House office buildings.

**Table 5. Capitol Police Appropriations, FY2010**  
(in thousands of dollars)

Accounts	FY2009 Enacted	FY2010 Requested	FY2010 House-Passed Bill	FY2010 Senate-Passed Bill	FY2010 Enacted
Salaries, Capitol Police	248,000	268,675	263,198	267,203	265,188
General Expenses	57,750	141,394	61,914	64,354	63,130
Emergency Appropriations <sup>a</sup>	71,606				
<b>Total, Capitol Police</b>	<b>377,356</b>	<b>410,069</b>	<b>325,112</b>	<b>331,557</b>	<b>328,318</b>

**Source:** The *U.S. Budget*, P.L. 111-8, H.Rept. 111-160, S.Rept. 111-29, and H.Rept. 111-265.

- a. P.L. 111-32, the FY2009 Supplemental Appropriations Act, contained \$71.6 million for the new U.S. Capitol Police radio system.

**Table 6. Architect of the Capitol Appropriations, FY2010**  
(in thousands of dollars)

Accounts	FY2009 Enacted	FY2010 Requested	FY2010 House- Passed Bill	FY2010 Senate- Passed Bill	FY2010 Enacted
<b>Architect of the Capitol</b>					
General administration	90,659	121,460	109,392	106,587	106,783
Capitol building	35,840	33,305	32,800	33,305	33,182
Capitol grounds	9,649	10,974	10,920	10,974	10,974
Senate office buildings	69,359	76,032	— <sup>a</sup>	74,392	74,392
House of Representative buildings					
House office buildings	65,814	111,926	100,466	100,466 <sup>b</sup>	100,466
House Historic buildings revitalization fund	—	—	—	—	50,000
Capitol power plant <sup>c</sup>	149,042	154,503	125,083	118,597	119,133
Library buildings and grounds	39,094	69,144	41,937	40,754	45,795
Capitol Police buildings and grounds	18,996	30,777	26,364	26,160	27,012
Botanic garden	10,906	11,920	11,263	11,898	11,390
Capitol Visitor Center	40,227	24,568	23,166	22,756	22,459
Historic buildings revitalization fund	—	—	60,000	—	—
<b>Total, Architect of the Capitol</b>	<b>529,586</b>	<b>644,609</b>	<b>541,391</b>	<b>545,889</b>	<b>601,586</b>

**Source:** The U.S. Budget, P.L. 111-8, H.Rept. 111-160, S.Rept. 111-29, and H.Rept. 111-265.

- a. The House does not consider appropriations for Senate office buildings.
- b. The Senate does not consider appropriations for House office buildings.
- c. Not including offsetting collections.

**Table 7. Senate Appropriations, FY2010**  
(in thousands of dollars)

Accounts <sup>a</sup>	FY2009 Enacted	FY2010 Request	FY2010 House- Passed Bill	FY2010 Senate- Passed Bill	FY2010 Enacted
<b>Payments—Heirs of Deceased Members of Congress</b>	<b>0</b>	<b>0</b>	<b>—</b>	<b>0</b>	<b>174</b>
<b>Expense Allowances and Representation</b>	<b>210</b>	<b>210</b>	<b>—</b>	<b>210</b>	<b>210</b>
<b>Salaries, Officers, and Employees</b>	<b>171,699</b>	<b>186,057</b>	<b>—</b>	<b>178,982</b>	<b>178,982</b>
<b>Office of Legislative Counsel</b>	<b>6,743</b>	<b>7,154</b>	<b>—</b>	<b>7,154</b>	<b>7,154</b>
<b>Office of Legal Counsel</b>	<b>1,484</b>	<b>1,544</b>	<b>—</b>	<b>1,544</b>	<b>1,544</b>

Accounts <sup>a</sup>	FY2009 Enacted	FY2010 Request	FY2010 House- Passed Bill	FY2010 Senate- Passed Bill	FY2010 Enacted
<b>Expense Allowances for Secretary of Senate, et al.</b>	<b>30</b>	<b>30</b>	—	<b>30</b>	<b>30</b>
<b>Contingent Expenses (subtotal)</b>	<b>714,864</b>	<b>814,245</b>	—	<b>746,066</b>	<b>738,066</b>
Inquiries and Investigations	137,400	172,989	—	145,500	140,500
Senate Intl. Narcotics Caucus	520	520	—	520	520
Secretary of the Senate <sup>b</sup>	2,000	2,000	—	2,000	2,000
Sergeant at Arms/Doorkeeper <sup>c</sup>	153,601	168,461	—	153,601	153,601
Miscellaneous Items	21,043	19,145	—	19,145	19,145
Senators' Official Personnel and Office Expense Account	400,000	450,830	—	425,000	422,000
Official Mail Costs	300	300	—	300	300
<b>Total, Senate</b>	<b>895,030</b>	<b>1,009,240</b>	—	<b>933,986</b>	<b>926,160</b>

**Source:** The U.S. Budget, P.L. 111-8, H.Rept. 111-160, S.Rept. 111-29, and H.Rept. 111-265.

- The Senate account contains seven appropriations headings, which are highlighted in bold.
- Office operations of the Office of the Secretary of the Senate are also funded under "Salaries, Officers, and Employees."
- Office operations of the Office of Sergeant at Arms and Doorkeeper are also funded under "Salaries, Officers, and Employees."

**Table 8. House of Representatives Appropriations, FY2010**

(in thousands of dollars)

Accounts <sup>a</sup>	FY2009 Enacted	FY2010 Request	FY2010 House- Passed Bill	FY2010 Senate- Passed Bill	FY2010 Enacted
<b>Payments—Heirs of Deceased Members of Congress</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Salaries and Expenses, Total</b>	<b>1,301,267</b>	<b>1,497,055</b>	<b>1,375,300</b>	<b>1,375,300</b>	<b>1,369,025</b>
<b>House Leadership Offices</b>	<b>25,113</b>	<b>25,881</b>	<b>25,881</b>	<b>25,881</b>	<b>25,881</b>
<b>Members' Representational Allowances<sup>b</sup></b>	<b>609,000</b>	<b>699,344</b>	<b>660,000</b>	<b>660,000</b>	<b>660,000</b>
<b>Committee Employees (subtotal)<sup>c</sup></b>	<b>185,300</b>	<b>208,492</b>	<b>171,178</b>	<b>171,178</b>	<b>171,178</b>
Standing Committees, Special and Select, except Appropriations	154,000	175,189	139,878	139,878	139,878
Appropriations Committee	31,300	33,303	31,300	31,300	31,300
<b>Salaries, Officers, and Employees (subtotal)</b>	<b>187,954</b>	<b>206,124</b>	<b>200,301</b>	<b>200,301</b>	<b>198,301</b>
Office of the Clerk	27,457	33,901	32,089	32,089	30,089
Office of the Sergeant at Arms	8,355	10,092	9,509	9,509	9,509



Accounts <sup>a</sup>	FY2009 Enacted	FY2010 Request	FY2010 House- Passed Bill	FY2010 Senate- Passed Bill	FY2010 Enacted
Office of Chief Administrative Officer	125,838	133,948	130,782	130,782	130,782
Office of Inspector General	4,945	5,062	5,045	5,045	5,045
Office for Emergency Planning, Preparedness, and Operations	3,974	4,469	4,445	4,445	4,445
Office of General Counsel	1,357	1,431	1,415	1,415	1,415
Office of the Chaplain	173	179	179	179	179
Office of the Parliamentarian	2,007	2,060	2,060	2,060	2,060
Office of the Law Revision Counsel	3,057	3,299	3,258	3,258	3,258
Office of the Legislative Counsel	8,337	8,900	8,814	8,814	8,814
Office of Interparliamentary Affairs	777	866	859	859	859
Other Authorized Employees: Technical Assistants, Office of Attending Physician	1,158	1,320	1,249	1,249	1,249
Office of Historian	519	597	597	597	597
<b>Allowances and Expenses (subtotal)</b>	<b>293,900</b>	<b>357,214</b>	<b>317,940</b>	<b>317,940</b>	<b>313,665</b>
Supplies, Materials, Administrative Costs and Federal Tort Claims <sup>d</sup>	4,135	3,979	3,948	3,948	3,948
Official Mail for committees, leadership, administrative and legislative offices	201	201	201	201	201
Government Contributions	260,703	302,776	278,378	278,378	276,703
Capitol Visitor Center	1,900	—	—	—	—
Business Continuity and Disaster Recovery Emergency Appropriations	18,698	32,516	27,698	27,698	25,098
Miscellaneous Items	742	787	760	760	760
Transition Activities <sup>d</sup>	4,721	2,907	2,907	2,907	2,907
Wounded Warrior program <sup>d</sup>	2,500	2,500	—	—	—
Energy demonstration projects	—	10,000	2,500	2,500	2,500
Office of Congressional Ethics <sup>d</sup>	300	1,548	1,548	1,548	1,548
<b>House of Representatives, Total</b>	<b>1,301,267</b>	<b>1,497,055</b>	<b>1,375,300</b>	<b>1,375,300</b>	<b>1,369,025</b>

**Sources:** The U.S. Budget, P.L. 111-8, H.Rept. 111-160, S.Rept. 111-29, and H.Rept. 111-265.

- 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. 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.
- c. 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).
- d. In FY2009, "Supplies, Materials, Administrative Costs and Federal Tort Claims" included funding now contained in the "Transition Activities" (\$4.7 million), "Wounded Warriors" (\$2.5 million) and "Office of Congressional Ethics" (\$300,000) headings.

## **For Additional Reading**

### **CRS Reports**

CRS Report RL34490, *Legislative Branch: FY2009 Appropriations*, by (name redacted).

CRS Report RL34031, *Legislative Branch: FY2008 Appropriations*, by (name redacted).

CRS Report R40083, *Legislative Branch Appropriations Bill: Structure, Content, and Process*, by (name redacted).

### **Selected Websites**

These sites contain information on the FY2010 and FY2009 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://apps.crs.gov/cli/cli.aspx?PRDS\\_CLI\\_ITEM\\_ID=615&from=1&fromId=73](http://apps.crs.gov/cli/cli.aspx?PRDS_CLI_ITEM_ID=615&from=1&fromId=73)

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

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

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

## Key Policy Staff

Area of Expertise	Name	CRS Division	Telephone and E-mail
Appropriations Process	Bill Heniff (name redacted)	G&F	7-.... /redacted/@crs.loc.gov 7-.... /redacted/@crs.loc.gov
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Committee Funding and Staffing	(name redacted)	G&F	7-.... /redacted/@crs.loc.gov
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Legislative Branch Conservation and Recycling	Jacob Straus	G&F	7-.... /redacted/@crs.loc.gov
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**Note:** Division abbreviations: G&F = Government and Finance

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