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History of House and Senate Restaurants: Context for Current Operations and Issues

,name redacted,

Analyst in American National Government

August 23, 2016

Congressional Research Service

7-....

www.crs.gov

R44600

Summary

The restaurants, cafeterias, and carry-out facilities operated by the House of Representatives and the Senate serve Members of Congress, congressional employees, constituents, and other visitors to the Capitol or congressional office buildings on a daily basis. Although their services may seem similar, food operations are separately administered and managed for the House, for the Senate, and for the Capitol Visitor Center (CVC). The House and Senate restaurant systems have operated continually since they were first created in the early 1800s, reflecting the necessary role they fulfill as congressional support services. Providing efficient and convenient food service has been a priority for the House and Senate restaurant systems, as it helps facilitate legislative and representational work.

This report provides historical background on the House and Senate restaurant systems, addressing major changes in facilities, management, and oversight. Information and issues for Congress related to the present operations of the House and Senate restaurants is available in CRS Report R44601, *House and Senate Restaurants: Current Operations and Issues for Congress*, by (name redacted). Although the particular entities involved have changed, the general operational pattern for the House and Senate restaurants has remained similar for both chambers over time. Typically, day-to-day activities are overseen by a restaurant manager; key administrative decisions have been made by a designated Member of Congress, congressional officer, or committee; and a House or Senate committee oversees the overall restaurant system for the respective chamber.

Running the House and Senate dining systems is different from running other large institutional dining systems in some ways because the congressional restaurants must operate within the Capitol complex and in conjunction with other congressional offices, like the Architect of the Capitol (AOC) and committees in each chamber. Historical information about the House and Senate restaurants can provide useful, institution-specific context for current restaurant oversight and administration, especially since many of the challenges the House and Senate restaurants face today are similar to those they have faced in the past.

Some of the ongoing concerns related to the House and Senate dining systems include restaurant finances, facilities, food services provided, and employee wages and benefits. For many years, the House and Senate operated their own restaurants, but today, both chambers use private contractors to provide dining services and retain a formal role in restaurant oversight. During the twentieth century, Members and others periodically debated whether congressional operation or private management would better meet the needs of restaurant customers, employees, and congressional administrators. These discussions often revealed how management choices could affect operating costs, services provided, oversight and accountability, and other important elements of the restaurants' operations.

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Introduction

Informal eateries and food vendors appeared in the Capitol in the 1800s, arising from the need Members of Congress had for meals, snacks, and beverages during long and unpredictable legislative workdays. For many years, this need was especially great because dining options in the surrounding Capitol Hill neighborhoods were limited. Efficiency has been a primary goal for the House and Senate restaurants from their inception through the current day, as this helps facilitate legislative and representational work.¹

The House and Senate soon began to exercise some degree of oversight over these eateries, which were typically run by individuals. By the middle of the nineteenth century, each chamber operated its own restaurants. As Congress grew, and as House and Senate office buildings were added to the Capitol complex, additional eateries became incorporated into the restaurant systems. Each chamber today retains oversight over its own restaurants, but the House and the Senate each utilize private food service contractors to manage the day-to-day operations in their restaurants.

The history of how the restaurant systems were incorporated into congressional entities, and how they later split off into private entities, helps explain the unique arrangements the restaurants still maintain with House and Senate committees and other congressional offices. Over time, many of the challenges facing the restaurant systems have remained similar, including concerns about restaurant finances, facilities, food services provided, and employee wages and benefits. Because the House and Senate restaurants operate within a unique congressional environment, information particular to their history may be useful for discussions about their current and future operations.

Congressional Restaurant Origins

On-site dining at the Capitol quickly became desirable, if not a necessity, for Members of Congress working in Washington, DC, while it transformed into the nation's capital city. Historical records from 1828 indicate that prepared food was available for sale by private restaurateurs in the Capitol while Congress was in session, and the sale of these refreshments was supervised by the Commissioner of Public Buildings, as instructed by the President of the Senate and the Speaker of the House.² Around the 1830s or 1840s, separate eating establishments were established for each chamber, and this operational division continues today.³

¹ See “Page, et al., v. The District of Columbia,” reported in *The Washington Law Reporter*, vol. 30, no. 47 (November 10, 1902), p. 760; “Work at the Capitol,” *Evening Star*, October 13, 1903, p. 8; “House Restaurant,” *Congressional Record*, vol. 62, part 1; December 22, 1921, pp. 707-708; Alice A. Love, “Going Inside the House’s Search for Private Food Contractor With ‘Innovative Ideas’ for Restaurants,” *Roll Call*, April 7, 1994, p. 3; U.S. Congress, Senate Committee on Rules and Administration, Subcommittee on the Restaurant, [Senate Restaurant Management and Management Contract Bids], unpublished hearing, 84th Cong., 1st sess., June 20, 1955 (Washington: Ward & Paul, 1955), pp. 27-28; U.S. House of Representatives, Office of the Chief Administrative Officer, Office of Acquisitions Management, *House Food Service Operations*, Solicitation Number OAM 14055S, Washington, DC, October 20, 2014, at https://www.fbo.gov/index?s=opportunity&mode=form&id=aa5e823b39761d877e12d3acf26d4b6a&tab=core&_cview=1.

² The letter states: “You will not permit refreshments to be sold in any part of the [Capitol] building or its appendages except in the rooms on the ground floor appropriated to that purpose. These rooms [are] to be opened on days when Congress are sitting only, and to be closed on each day as soon after adjournment of both Houses as may be practicable. Bills of rate are to be made out by the restaurateurs and after being approved by you to be printed and kept posted up in each room.” See Clyde N. Wilson and W. Edwin Hemphill, eds., *The Papers of John C. Calhoun: Volume X, 1825-1829* (Columbia, SC: University of South Carolina Press, 1977), p. 386.

³ A bill from the House Committee on Public Buildings and Grounds (H.R. 933) from February 14, 1837, requests (continued...)

By the early 1900s, quicker dining options, like lunch counter service, were being introduced in the House and Senate restaurants to meet the needs of busy Members, staff, and visitors.⁴ As Congress grew, demands for additional restaurant space were met with periodic renovations and expansions or the creation of new dining facilities.⁵ When Congress agreed to build an extension of the east central front of the Capitol in 1955, the plans incorporated a new private dining room for Representatives and one for Senators, which opened in January 1962.⁶ New cafeterias and dining facilities were also built into the plans for each House and Senate office building as it was constructed.⁷ Carryout food service was first made available in both Cannon and Longworth House Office Buildings in early 1953 to help alleviate continued crowding during peak lunch hours and to accommodate the need for fast dining options.⁸

History of House Jurisdiction Over Restaurants

Table 1 displays the congressional entities that have been involved in House restaurant management. Independent restaurateurs provided the earliest dining for the House, and decisions related to the restaurants during the 1800s were made, at different times, by the Speaker of the House, the Commissioner of Public Buildings, the Committee on Public Buildings and Grounds, and the Committee on Accounts.⁹ The restaurateur was able to set menu prices and keep any profits made from sales, but he was required to pay the House a flat fee for “the privilege of keeping the restaurant of the House.”¹⁰

(...continued)

\$1,500 “[f]or constructing two new refectory rooms, adjoining those now in use.” An establishment in the Senate, known as the “Hole in the Wall” was open by the 1830s; see Senate Historical Office, U.S. Senate, “Isaac Bassett, A Senate Memoir,” at <http://www.senate.gov/artandhistory/art/special/Bassett/tdetail.cfm?id=13>.

⁴ “Work at the Capitol,” *Evening Star*, October 13, 1903, p. 8; “Work At the Capitol,” *Evening Star*, November 12, 1904, p. 2; “The Era of Reform Hits House Restaurant,” *Washington Herald*, April 21, 1911, p. 7.

⁵ *Report of the Architect of the United States Capitol*, 1893, prepared by Edward Clark, 53rd Cong., 2nd sess., July 1, 1893, H.exdoc.1/33, p. 561; “The House Kitchen,” *Evening Star*, December 25, 1893, p. 7; “Changes at the Capitol,” *Washington Post*, October 3, 1909, p. E1.

⁶ The Chairman of the Committee on House Administration believed that it was the state of the restaurants that “resulted in the action of both the House and Senate in recommending completion of the east front of the Capitol.” Rep. Omar Bursleson, “Report of the Activities of the Committee on House Administration, 1st Session, 84th Congress,” extension of remarks, *Congressional Record*, vol. 101, part 10 (August 2, 1955), p. 13149. See also U.S. Congress, House, Committee on Appropriations, Subcommittee on Legislative Appropriations, *Legislative Branch Appropriations for 1962*, 87th Cong., 1st sess., May 1-4, 1961, p. 350.

⁷ “Congressional Burrows an Underground Network Connecting Palatial Annexes on Capitol Hill,” *Washington Post*, March 6, 1910, p. S4; U.S. Congress, Senate Committee on Rules and Administration, Subcommittee on the Restaurant, *Report of Proceedings: Hearing Held Before Subcommittee on the Restaurant of the Committee on Rules and Administration Executive Session*, unpublished hearing, 86th Cong., 1st sess., March 18, 1959 (Washington: Ward & Paul, 1959), pp. 3-4.

⁸ U.S. Congress, House, Committee on Appropriations, Subcommittee on Legislative Appropriations, *Legislative Branch Appropriations for 1962*, hearing on H.R. 7208, 87th Cong., 1st sess., May 1-4, 1961, p. 350.

⁹ “House Restaurant,” *Congressional Globe*, 40th Cong., 2nd sess., December 4, 1867, p. 27; “Sale of Liquor in the Capitol,” *Congressional Record*, vol. 7, part 1 (December 4, 1877), pp. 10-11; Sen. William Frye, remarks in the Senate, *Congressional Record*, vol. 17, part 1 (December 15, 1885), p. 185; U.S. Congress, House Committee on Rules, “House Restaurant,” 50th Cong., 1st sess., Mis. Doc. 65 (Washington: GPO, 1888); “[Report From the Committee on Accounts],” *Congressional Record*, vol. 37, part 6 (April 25, 1904), p. 5581; *Journal of the House of Representatives*, 58th Cong., 2nd sess., April 25, 1904, p. 680; *Congressional Record*, vol.62, June 21, 1921, p. 2034.

¹⁰ *Journal of the House of Representatives*, 39th Cong., 2nd sess., February 27, 1867, pp. 514-515.

As part of the Capitol facilities, the additional resources required to run the restaurants, like coal, gas, and, electricity, were provided by Congress, despite the objection of some Members.¹¹ The use of Capitol space to house the restaurants may help explain why the Speaker charged the Commissioner of Public Buildings to oversee the other aspects of restaurant administration in 1828,¹² and granted the Architect of the Capitol (AOC) similar authority from 1940-1971.¹³ Today, the AOC still oversees the general maintenance of the House restaurant facilities.

As the number of Members and staff in the House grew, so did the expectations for its restaurants.¹⁴ From 1921 to 1947, the House restaurants were under the jurisdiction of the Committee on Accounts,¹⁵ and, since 1947, the restaurants have generally been under the jurisdiction of the Committee on House Administration.¹⁶ The growth of congressional operations, as well as the specialized nature of restaurant management, led the House to create the Select Committee on the House Restaurant, which oversaw the restaurant system from July 1969 through 1974.¹⁷

Table I. Congressional Administration and Oversight of House Dining Over Time

Congressional Officer/Entity	Date(s) of Direct Involvement with House Restaurants	Role
Speaker of the House	n.d.-1887; 1904-1921	Appointed House restaurant manager
Commissioner of Public Buildings	1828-n.d.	Oversight of House refreshment sales
Committee on Revisal and Unfinished Business	1867-1869	Oversight of House dining establishments
Committee on Public Buildings and Grounds	1869-1921	Oversight of House dining establishments; Appointed House restaurant manager
Committee on Accounts	1921-1947	Chair appointed House restaurant manager
Architect of the Capitol	1828-present	Maintenance of restaurant facilities

¹¹ *Journal of the House of Representatives*, 37th Cong., 3rd sess., March 26, 1862, p. 483; “When Congress Eats Its Lunch,” *Evening Star*, January 7, 1905, p. 3.

¹² Clyde N. Wilson and W. Edwin Hemphill, eds., *The Papers of John C. Calhoun: Volume X, 1825-1829* (Columbia, SC: University of South Carolina Press, 1977), p. 386.

¹³ H. Res. 590, 54 Stat. 1056-1057, §208(a), October 9, 1940; “Operation of House Restaurant,” *Congressional Record*, vol. 86, part 10 (September 5, 1940), p. 11552; 92 H. Res. 317; “Creating a Select Committee on the House Restaurant,” *Congressional Record*, vol. 117, part 6 (March 25, 1971), pp. 7961-7962.

¹⁴ When the Speaker delegated the task of appointing the restaurateur to the Committee on Public Buildings and Grounds in 1911, one committee member reportedly remarked, “most members, particularly my own brethren, are pretty generous feeders, and if our committee makes a bad selection it will be up to us to shoulder the blame. And I wish somebody else had the job.” See “Committee Faces Eating Problem,” *The Washington Herald*, July 3, 1911, p. 2.

¹⁵ U.S. Congress, House Committee on Accounts, Control of the House Restaurant, report to accompany H. Res. 254, 67th Cong., 2nd sess., H. Rept. 542 (Washington: GPO, 1922); U.S. Congress, Special Committee Appointed in Pursuance of House Resolution 236, Authority of the Committee on Accounts, House of Representatives, report, 73rd Cong., 2nd sess., H. Rept. 1920 (Washington: GPO, 1934).

¹⁶ P.L. 79-601, 60 Stat. 826, August 2, 1946; House Rule X, cl. 1(k)(13), §724. The Committee on House Administration was renamed the Committee on House Oversight for the 104th and 105th Congresses (1995-1998).

¹⁷ U.S. Congress, House Committee on Rules, *Establishing a Committee on the House Restaurant*, report to accompany H.Res. 472, 91st Cong., 1st sess., July 8, 1969, Report No. 91-351 (Washington: GPO, 1969); “Providing Funds For Expenses Incurred by the Select Committee on the House Restaurant,” *Congressional Record*, vol. 120, part 9 (April 29, 1974), p. 12020.

Congressional Officer/Entity	Date(s) of Direct Involvement with House Restaurants	Role
	1940-1971	Daily management/administration
Committee on House Administration	1947-1969; 1974-present	Oversight of House dining operations
Select Committee on the House Restaurant	1969-1974	Oversight and administration of House dining operations
Director of Non-Legislative Services	1993-1995	Daily management/administration
Chief Administrative Officer	1995-present	Daily management/administration

Source: CRS analysis of congressional documents.

Notes: Records on past House restaurant administration are difficult to obtain and often provide only limited information. The best available information is provided in this table; however, it may be incomplete.

Challenges for Early House Restaurants

Around the turn of the twentieth century, a series of problems with the House restaurant led to calls for greater dining oversight, with some advocating that the House fully take over and operate its own dining services. In 1904, the House rejected the idea of running its own restaurants,¹⁸ but other attempts to improve the restaurants faltered, and by 1921, the private restaurateur was removed and the restaurant was operated by the Committee on Accounts.¹⁹ Many of the complaints during this era included issues with the House dining facilities, noting that they were too small, dirty, and lacked the modern amenities needed to operate efficiently.²⁰ To address these concerns, the House dining room became exclusively for use by Members of the House,²¹ an additional dining room opened in 1908 with the completion of the Cannon House Office Building,²² and the Speaker authorized a full restaurant renovation in 1911.²³

Despite the improved facilities, food and management problems persisted. The restaurant manager was unable to turn a profit and customers lamented the “marked deterioration in service and quality of food” from changes he initiated to recoup lost income.²⁴ Some observers thought that the financial troubles stemmed from the ban of liquor sales in the restaurant, which were “formerly its main source of revenue.”²⁵ Others believed that the restaurant struggled before the

¹⁸ A resolution enabling the Superintendent of the Capitol to make improvements to the restaurant under the direction of the Speaker concluded with the statement, “in no sense shall it be understood that the practical management of the House luncheon rooms is hereby assumed by the House.” U.S. Congress, House Committee on Accounts, *Restaurant of the House of Representatives*, report to accompany H. Res. 356, 58th Cong., 2nd sess., H. Rpt. 2849 (Washington: GPO, 1904), pp. 1-2; also U.S. Congress, House, *House Journal*, 58th Cong., 2nd sess., April 25, 1904, p. 680.

¹⁹ “Old-Fashioned Bean Soup Tickles Palates of Members of House,” *Evening Star*, December 12, 1921, p. 2.

²⁰ U.S. Congress, House Committee on Ventilation and Acoustics, *Ventilation of Dining Room, House of Representatives*, report to accompany Mis. Doc. 92, 52nd Cong., 2nd sess., H. Rept. 2595 (Washington: GPO, 1893); U.S. Congress, House, Committee on Public Buildings and Grounds, *Additional Room for House Restaurant*, report to accompany H. Res. 118, 54th Cong., 1st sess., H. Rept. 74 (Washington: GPO, 1896).

²¹ “Congress Grows More Exclusive,” *Washington Times*, November 13, 1911, p. 2.

²² “Corner Stone Laid,” *Evening Star*, April 14, 1906, p. 6.

²³ “House Committee Will Investigate Rented Buildings,” *Washington Times*, April 21, 1911, last edition, p. 4.

²⁴ U.S. Congress, Committee on Accounts, *Restaurant of the House of Representatives*, report to accompany H. Res. 356, 58th Cong., 2nd sess., H. Rept. 2849 (Washington: GPO, 1904), pp. 1-2; *House Journal*, 58th Congress, 2nd sess., Apr. 25, 1904 (Washington: GPO, 1904), p. 680; “Those Lunchrooms,” *Washington Times*, April 5, 1910, p. 8.

²⁵ “For Quick Lunches,” *Evening Star*, May 16, 1904, p. 7.

ban was in place, noting that “Terrapin Tom” Murray, who served as House restaurateur from 1892 to 1897, “was extremely popular with his customers and ruined himself financially trying to conduct the place according to the suggestions he received.”²⁶

When the Committee on Accounts fully assumed oversight and executive management responsibilities for the House restaurants in 1921,²⁷ funds for employee salaries and other expenses not fully defrayed by restaurant profits were paid out of the contingent fund of the House.²⁸ Some Members worried that the House had undertaken a venture that could never be profitable and would cost the government money.²⁹ After the House took over the operation of its restaurants, food quality did apparently improve; one newspaper claimed, “If it is true that ‘men fight on their stomachs,’ then good legislation ought to result from the present session because special care has been taken that the members shall be well fed and satisfactorily fed.”³⁰

Several new dining options became available to serve Members, staff, and visitors in the Capitol and in the House office buildings by the mid-twentieth century, yet these additional facilities did not adequately meet the needs of the House.³¹ During the 84th Congress (1955-1956), the Committee on House Administration established a Special Subcommittee on the House Restaurant to study restaurant space needs. The subcommittee recommended an extension to the east central front of the Capitol,³² in which a new private dining room for House Members (and a separate one for Senators) opened during January 1962.³³

The House restaurant system, overall, struggled to break even.³⁴ Many of the financial problems were tied to the restaurants’ operating hours, which often extended beyond the times the House was in session.³⁵ As a result, dining revenues were not sufficient to cover the labor costs associated with keeping the restaurants open.³⁶ Some attempts to improve restaurant finances involved menu price increases, yet these were generally not enough to offset the increases in

²⁶ F. Leypoldt, “Obituary Notes,” *Publishers Weekly*, vol. 57, no. 1479 (June 2, 1900), p. 1119; “Committee Faces Eating Problem” *Washington Herald*, July 3, 1911.

²⁷ “House Restaurant,” *Congressional Record*, vol. 67, part 1, (June 2, 1921), pp. 2034-2035; “House Restaurant,” *Congressional Record*, vol. 61, part 1 (December 22, 1921), pp. 706-709.

²⁸ U.S. Congress, House Committee on Accounts, *Control of the House Restaurant*, report to accompany H. Res. 254, 67th Cong., 2nd sess., January 4, 1922, H. Rept. 542 (Washington: GPO, 1922).

²⁹ “House Restaurant,” *Congressional Record*, vol. 61, part 1 (January 4, 1922), pp. 780-783

³⁰ “Old-Fashioned Bean Soup Tickles Palates of Members of House,” *Evening Star*, December 12, 1921, p. 2.

³¹ U.S. Congress, House Committee on Appropriations, Subcommittee on Legislative Appropriations, *Legislative Branch Appropriations for 1962*, hearing on H.R. 7208, 87th Cong., 1st sess., May 1-4, 1961, p. 350; ; U.S. Congress, House Committee on House Administration, *A History of the Committee on House Administration, 1947-2012* (Washington, DC: GPO, 2012), p. 253.

³² U.S. Congress, House Committee on House Administration, *Improving Food Service Facilities in the House of Representatives*, report to accompany H. Res. 218, 84th Cong., 1st sess., April 21, 1955, H.r.p.432.

³³ Subcommittee on Legislative Appropriations, *Legislative Branch Appropriations for 1962*, 87th Cong., 1st sess., May 1-4, 1961, p. 350.

³⁴ U.S. Congress, House Committee on Appropriations, Subcommittee on Legislative Branch Appropriations, *Legislative Branch Appropriations for 1960*, 86th Cong., 1st sess., May 13-15, 1959 (Washington: GPO, 1959), p. 139; U.S. Congress, House Committee on Appropriations, *Second Supplemental Appropriations Bill*, report to accompany H.R. 11400, 91st Cong., 1st sess., March 18, 1969, Report No. 91-252 (Washington: GPO, 1969), pp. 1-5.

³⁵ U.S. Congress, House Committee on Appropriations, Subcommittee on Legislative Branch Appropriations, *Legislative Branch Appropriations Bill, 1942*, 77th Cong., 1st sess., April 24-25, 28-29, 1941 (Washington: GPO, 1941), pp. 282-283.

³⁶ U.S. Congress, House Committee on Appropriations, Subcommittee on Legislative Branch Appropriations, *Legislative Branch Appropriations Bill, 1948*, 80th Cong., 1st sess., May 26-28, June 3-5, 10-11, 18, 1947 (Washington: GPO, 1947), pp. 405-406.

costs.³⁷ Those familiar with the restaurants noted that House restaurant workers were paid higher wages than workers in comparable private restaurants, although some Members maintained that restaurant workers were still paid too little.³⁸ House restaurant finances were particularly impacted by measures that affected the wages and benefits of House employees.³⁹

Often, the smaller eateries, like the coffee shops, carry-outs, and vending machines, and catering services, would generate revenue for the House restaurant system, but not enough to offset losses from other facilities in the system.⁴⁰ Even when the restaurants did turn a profit, some news accounts suggested that the House restaurant system was propped up through taxpayer subsidies.⁴¹

History of Senate Jurisdiction for Restaurants

Table 2 displays the congressional entities that have been involved with Senate restaurant management. The Hole in the Wall, also known as the Senate Club, was the first restaurant in the Senate, set up in a small, circular room accessible through the old Senate Post Office.⁴² It began as an informal eatery sometime before the mid-1830s, where the Sergeant at Arms would bring in food made at home by his wife to serve as luncheon fare.⁴³ At some point before it closed in 1857, expenses related to the Hole in the Wall were paid for out of the Senate contingency fund.⁴⁴

³⁷ U.S. Congress, House Committee on Appropriations, Subcommittee on Legislative Branch Appropriations, *Legislative Branch Appropriations for 1974*, 93rd Cong., 1st sess., February 28, March 2, 5-8, 14, 1973 (Washington: GPO, 1973), pp. 1166-1167; U.S. Congress, House Committee on Appropriations, Subcommittee on Legislative Appropriations, *Legislative Branch Appropriations for 1981*, 96th Cong., 2nd sess., February 6, 12, 20-21, 26-27, 1980, p. 411.

³⁸ U.S. Congress, House Committee on Appropriations, Subcommittee on Legislative Branch Appropriations, *Legislative Branch Appropriations for 1970*, 91st Cong., 1st sess., June 10-11, 17-19, July 15, 17-18, 21, 29, 1969 (Washington: GPO, 1969), p. 513; Rep. Andrew Jacobs, Jr., “House of Representatives Restaurant Workers Should Be Paid Salary Required By Law,” remarks in the House, *Congressional Record*, April 23, 1969, p. 10039.

³⁹ These impacts are often described in hearings or reports associated with annual legislative branch appropriations. During a Subcommittee on Legislative Branch Appropriations hearing for FY1948, for example, it was noted that the Federal Employees Pay Act of 1946 “has increased pay-roll costs for the fiscal year 1947 by approximately \$20,000. A report accompanying the legislative branch appropriations bill for FY1959 noted that “Most of the increase [for the House restaurants] arises from the additional burden on the restaurant bank account due to the new Government-wide method of financing contributions to the Civil Service retirement fund.” See U.S. Congress, House Committee on Appropriations, Subcommittee on Legislative Branch Appropriations, *Legislative Branch Appropriations Bill, 1948*, 80th Cong., 1st sess., May 26-28, June 3-5, 10-11, 18, 1947 (Washington: GPO, 1947), p. 405; U.S. Congress, House Committee on Appropriations, *Legislative Branch Appropriations Bill, 1959*, report to accompany H.R. 13066, 85th Cong., 2nd sess., June 20, 1958, Report No. 1940 (Washington: GPO, 1958), p. 3.

⁴⁰ U.S. Congress, House Committee on Appropriations, Subcommittee on Legislative Appropriations, *Legislative Branch Appropriations for 1974*, 93rd Cong., 1st sess., February 28, March 2, 5-8, 15, 1973, p.1165-1167.

⁴¹ Thomas J. Foley, “Capitol Restaurants,” *Washington Post*, June 17, 1971, p. B20; Anne Laurent, “Hill Food Service Workers Continue Fight to Unionize,” *Federal Times*, December 2, 1985, p. 20.

⁴² Christian F. Eckloff, *Memoirs of a Senate Page, 1855-1859*, ed. Percival G. Melborne (New York: Broadway Publishing Company, 1909), pp. 7-9.

⁴³ “The Hole in the Wall: What Led to the Origin of the Senate Restaurant,” *Evening Star*, January 2, 1889, p. 6; “The Senate’s Hole In the Wall,” *Amador Ledger*, vol. 1900, no. 2, November 2, 1900, p. 4; Asher C. Hinds, *Hinds’ Precedents of the House of Representatives of the United States* (Washington, DC: GPO, 1907), vol. 5, ch. 147, §7244, pp. 1089-1091.

⁴⁴ Guy Gugliotta, *Freedom’s Cap: The United States Capitol and the Coming of the Civil War* (New York: Hill and Wang, 2012), p. 23.

A newspaper article from 1881 stated that the president pro tempore would review applicants for new Senate restaurant vendors and that “[u]nder the rules of the Senate the Vice President has control of the restaurant.”⁴⁵ The Standing Rules of the Senate from 1884 indicate that the Senate Committee on Rules was responsible for the Senate restaurant as part of the committee’s broader role in regulating the properties on the Senate side of the Capitol.⁴⁶ That year, the Senate also adopted a more comprehensive set of rules for the Senate facilities, stating that the Sergeant at Arms of the Senate, under the direction of the Presiding Officer, would enforce any related directives made by the Committee on Rules.⁴⁷ Beginning September 15, 1942, a joint resolution agreed to by Congress transferred Senate restaurant management from the Committee on Rules to the AOC, although the committee still retained the right to approve general policies made by the Architect and the ability to regain its jurisdiction over the restaurants if desired.⁴⁸ On July 18, 1947, the Committee on Rules and Administration adopted a resolution to regain jurisdiction over the Senate restaurants.⁴⁹

Table 2. Congressional Administration and Oversight of Senate Dining Over Time

Congressional Officer/Entity	Date(s) of Direct Involvement with Senate Restaurants	Role
President of the Senate	1828-n.d.	Oversight of Senate refreshment sales
Sergeant at Arms	1830s-1857 (est.)	Operation of Senate restaurants
Committee on Rules	1884-1942	Daily management of Senate restaurants
	1884-1947	Oversight of Senate restaurants
Architect of the Capitol	1828-present	Maintenance of restaurant facilities
	1942-1947	Daily operation of Senate restaurants
Committee on Rules and Administration	1947-present	Oversight and administration of Senate dining operations

Source: CRS analysis of congressional documents.

Notes: Records on past Senate restaurant administration are difficult to obtain and often provide only limited information. The best available information is provided in this table; however, it may be incomplete.

⁴⁵ “Competition for the Senate Restaurant Privilege,” *Evening Star*, November 7, 1881, vol. 58, no. 8921, p. 1.

⁴⁶ U.S. Congress, Senate Committee on Rules and Administration, *History of the Committee on Rules and Administration, United States Senate*, prepared by Floyd M. Riddick, Parliamentarian Emeritus of the Senate, 96th Cong., 1st sess., August 2, 1979, S. Doc. 96-27 (Washington: GPO, 1980), p. 52.

⁴⁷ U.S. Congress, Senate, Committee on Rules, *Rules for the Regulation of the Senate Wing of the U.S. Capitol*, committee print, 48th Cong., 1st sess., March 15, 1884 (Washington: GPO, 1884), pp. 3, 7. This language remained as Rule X until 1896 and as Rule IX through the 77th Congress (1941-1943). See U.S. Congress, Senate, Committee on Rules, *Senate Manual*, 54th Cong., 1st sess., April 14, 1896, S.doc.304 (Washington: GPO, 1896), p. 303.

⁴⁸ U.S. Congress, Senate Committee on Rules, *Senate Manual*, 77th Cong., 2nd sess., January 1, 1943, S.Doc. 239 (Washington: GPO, 1943), pp. 106-107; P.L. 77-709, 56 Stat. 750, September 9, 1942. See also U.S. Congress, Senate, Committee on Rules and Administration, Subcommittee on Restaurants, *Report of Proceedings: Hearing Held Before Subcommittee on Restaurants of the Committee on Rules and Administration - Executive Session, Renewal of Contract on Senate Restaurant*, vol. 2, 86th Cong., 2nd sess., June 2, 1960 (Washington: Ward & Paul, 1960), p. 33.

⁴⁹ *Ibid.*; U.S. Congress, Committee on Rules and Administration, Subcommittee on Restaurants, *Report of Proceedings: Hearing Held Before Committee on Rules and Administration – Legislative Business - Executive Session*, unpublished hearing, 87th Cong., 1st sess., June 14, 1961 (Washington: Ward & Paul, 1961), pp. 68-69.

Challenges for Early Senate Restaurants

During the late 1800s, the Senate restaurant was often criticized for its prices, which observers claimed were higher than many outside restaurants, despite its low overhead, and also higher than in the House restaurant, even when the same caterer ran both chambers' establishments.⁵⁰ Despite the prices, the Senate restaurant was popular, especially during lunchtime. As one newspaper noted, "It is a good place to find almost any lost one—whether Senate or Senator employe [*sic*], to say nothing of the liberal sprinkling of newspaper men who hurry in and out, combining the hasty pleasure of eating with the business of gathering information."⁵¹ The restaurant itself had been "long a musty and overcrowded place" and was renovated and expanded in 1909,⁵² and additional dining space became available in the Russell Senate Office Building when it opened the same year.⁵³

Sometimes, the restaurateurs would make efforts to appeal to the tastes of individual Senators and officials or ensure that various regional cuisines were represented.⁵⁴ The Senate restaurant once reworked its chicken recipe to suit the likings of Senator Benjamin Tillman, for example, and it became a great success on the restaurant menu.⁵⁵ The Senate bean soup also traces its origins to Senators who wanted it served in the restaurant, and it has been continuously offered on the menu since 1903.⁵⁶ According to one newspaper, the Senate restaurant pie was "among the best minted anywhere in the world," and was a favorite lunch choice of Senators.⁵⁷

Throughout the 1910s price complaints persisted, but grievances also mounted about the quality of food and service in the Senate restaurant, and some began to call for it to be run by a private caterer or company.⁵⁸ In 1911, members of the New England Pie Club rebelled against the high restaurant prices by purchasing food at wholesale prices from the Senate restaurant, which was then served to dues-paying members during the club's lunchtime meetings. The Senate restaurant

⁵⁰ "Competition for the Senate Restaurant Privilege," *Evening Star*, November 7, 1881, vol. 58, no. 8,921, p. 1; "Demanding More Money," *Washington Times*, January 4, 1895, p. 1.; "Under the Dome: Senatorial Dignity," *Washington Times*, March 21, 1902, p. 6.

⁵¹ "Senatorial Snacks. The Whole Gamut of Gastronomy Runs by the Statesmen. From Pie to Terrapin," *Evening Star*, February 20, 1892, p. 14.

⁵² "Changes at the Capitol," *Washington Post*, October 3, 1909, p. E1. A new kitchen had been built for the Senate restaurant in 1893; see *Report of the Architect of the United States Capitol*, 1893, prepared by Edward Clark, 53rd Cong., 2nd sess., July 1, 1893, H.exdoc.1/33, p. 561.

⁵³ "Senate Office Building," *Congressional Record*, vol. 43, part 3 (February 17, 1909), p. 2564; S. Res. 291, 60th Cong., 2nd sess., February 18, 1909; "Congressional Burrows an Underground Network Connecting Palatial Annexes on Capitol Hill," *Washington Post*, March 6, 1910, p. S4; "Amendment of the Rules," *Congressional Record*, vol. 59, part 1 (December 13, 1919), p. 500.

⁵⁴ "Milk a la Daniels Cheaper Than Grape Juice a la Bryan," *Washington Times*, August 15, 1913, p. 3; U.S. Congress, Senate Committee on Rules and Administration, Subcommittee on Restaurants, *Report of Proceedings: Hearing Held Before Subcommittee on the Restaurant of the Committee on Rules and Administration - Executive Session*, unpublished hearing, 84th Cong., 1st sess., June 20, 1955 (Washington: Ward & Paul, 1955), p. 19.

⁵⁵ "Catering to Individual Tastes of Senators," *Evening Star*, January 11, 1912, p. 5.

⁵⁶ See U.S. Senate, "Senate Bean Soup," at http://www.senate.gov/reference/reference_item/bean_soup.htm; Jennifer Frey, "Hill of Beans," *Washington Post*, July 7, 2003; Lauren Ober, "Steeped In Tradition: The Story Of the Senate's Signature Soup," *WAMU 88.5*, December 12, 2014, at http://wamu.org/programs/metro_connection/14/12/12/steeped_in_tradition_the_story_of_the_senates_signature_soup.

⁵⁷ "No More Pie Smell in Senate Chambers," *The Carroll Herald*, September 5, 1906, p. 2; "Senatorial Snacks. The Whole Gamut of Gastronomy Runs by the Statesmen. From Pie to Terrapin," *Evening Star*, February 20, 1892, p. 14.

⁵⁸ "Lawmakers are Upset By Senatorial Pie," *Washington Times*, January 25, 1911, p. 8.

manager tried to prevent the club's purchases, but he was met with opposition from Senator W. Murray Crane, a member of the club and chairman of the Committee on Rules.⁵⁹

Transition to Modern Congressional Restaurants

The restaurants in the House and in the Senate have at various times been privately run by outside vendors and run by the chambers themselves. For much of the twentieth century, the House and Senate restaurants were operated by the House and the Senate, respectively. As the number of House and Senate restaurant facilities, customers, and employees grew, some advocated that professionalized food service companies could better manage the restaurants, improve their finances, and provide more favorable working conditions for employees.⁶⁰ Others believed that the House and Senate could run the restaurants with similar efficiency, would better understand the needs of these restaurants, and offer workers better working conditions as federal legislative branch employees.⁶¹ Today, both the House and Senate restaurant systems are operated by private contractors.

Although the particular entities involved have changed over time, the general operational pattern for the House and Senate restaurants has remained similar. Typically, day-to-day activities are overseen by a restaurant manager; key administrative decisions have been made by a designated Member of Congress, congressional officer, or committee; and a House or Senate committee oversees the overall restaurant system operation for the respective chamber. The House and Senate have always maintained a formal role in restaurant oversight, viewing any private restaurateurs, contractors, or other legislative branch partners as their agents.⁶²

Privatization of Senate Restaurants, 1947-1961

As an attempt to alleviate financial problems attributable “largely to the poor physical layout of the restaurants, the one-meal-a-day business, and the fluctuations in volume of business due to

⁵⁹ “Senate Restaurant Declared ‘Unreasonable Monopoly,’” *East Oregonian*, May 25, 2011, evening edition, p. 8; “Pie Club at Outs with Senate Cafe,” *Washington Times*, May 19, 1911, last edition, p. 18.

⁶⁰ “Lawmakers are Upset By Senatorial Pie,” *Washington Times*, January 25, 1911, p. 8; U.S. Congress, House Committee on Accounts, *Control of the House Restaurant*, report to accompany H. Res. 254, 67th Cong., 2nd sess., January 4, 1922, H. Rept. 542 (Washington: GPO, 1922); Timothy J. Burger, “If House Eateries Transferred to Outside Firm, Workers to Get No Job Guarantees,” *Roll Call*, October 25, 1993, p. 13; Juliet Eilperin, “Architects Suggest Privatization Plan,” *Roll Call*, March 30, 1995; Juliet Eilperin, “Senate Acts to Cut Restaurant Losses,” *Roll Call*, August 17, 1995; Paul Kane, “Senate Votes To Privatize Its Failing Restaurants,” *Washington Post*, June 9, 2008.

⁶¹ “Old-Fashioned Bean Soup Tickles Palates of Members of House,” *Evening Star*, December 12, 1921, p. 2; U.S. Congress, Senate Committee on Rules and Administration, *Report of Proceedings: Hearing Held Before Subcommittee on the Restaurant of the Committee on Rules and Administration - Executive Session*, unpublished hearing on Senate restaurant management and management contract bids, 84th Cong., 1st sess., June 20, 1955 (Washington: Ward & Paul, 1955), pp. 23-27; U.S. Congress, Senate Committee on Rules and Administration, Subcommittee on Restaurants, *Report of Proceedings: Hearing Held Before Subcommittee on Restaurants of the Committee on Rules and Administration - Executive Session*, Renewal of Contract on Senate Restaurant, Volume 2, 86th Cong., 2nd sess., June 2, 1960 (Washington: Ward & Paul, 1960), pp. 44-45; Timothy J. Burger, “In-House Food Operation Makes a Profit, But Ex-Concessionaire Still Owes \$294,000,” *Roll Call*, October 1, 1992, p. 3; Emily Yehle, “Feinstein Warns Cafeteria Prices Could Rise,” *Roll Call*, May 12, 2008.

⁶² For example, a 1941 letter to from the Comptroller General asserted, “The transfer of the operation and control of the restaurant from the Committee on Accounts of the House of Representatives to the Architect of the Capitol did not operate to make the restaurant an activity or function of the Office of the Architect of the Capitol, but left it as an activity or function of the House of Representatives, the Architect of the Capitol being merely the agent or means through which the restaurant is operated by that body.” U.S. General Accounting Office. Letter from Lindsay C. Warren, Comptroller General, to David Lynn, Architect of the Capitol, April 14, 1941. Document B-15712.

recesses and variations in the schedules of Congress,” the Senate Committee on Rules and Administration adopted a resolution in 1947 to enable a private contractor to run the Senate restaurants.⁶³ A food service company ran the Senate restaurants from 1947 to 1961, but the restaurants continued operating at a net annual loss.⁶⁴ Under the terms of the contract, the Senate would reimburse the company for any losses incurred and also pay it a sizable annual management fee. By 1960, members of the Committee on Rules and Administration reasoned that this system did not incentivize the contractor to operate the restaurants efficiently; if the Senate operated its own restaurants, it could save the management fee and perhaps operate them in a way that was more financially successful.⁶⁵

In the summer of 1961, day-to-day management of the Senate restaurants was transferred from the Committee on Rules and Administration to the AOC and a revolving fund was created for the Senate restaurants’ operation.⁶⁶ The Committee on Rules and Administration retained its authority to approve the “general policy” adopted by the AOC and the ability to transfer jurisdiction of the restaurants to another entity. In the transition back to Senate-operated restaurants in 1961, workers became AOC employees, enabling some of them to remain employed during long Senate recesses by doing other work for the AOC while the restaurants were closed.

Restaurant Employee Organizing Efforts

During the late 1970s and early 1980s, efforts began among employees at both the House and Senate restaurants to unionize, led by the Capitol Employees Organizing Group (CEOG).⁶⁷ Responses to the employees then, and during a previous effort to establish a labor organization for the Senate restaurant employees, illustrate the jurisdictional complexity that had developed surrounding restaurant oversight and management roles. The efforts to establish a labor union at the restaurants also highlighted the unique status of legislative branch employees, who, at the time, were exempt from a number of workplace laws, including the Civil Rights Act, the Equal Pay Act, and the National Labor Relations Act.⁶⁸

⁶³ U.S. Congress, Senate Committee on Appropriations, *Legislative Branch Appropriations Bill, 1948*, report to accompany H.R. 3993, 80th Cong., 1st sess., July 9, 1947, S.rp. 467, p. 92; U.S. Congress, Senate, *Annual Report of the Architect of the Capitol, 1947*, 80th Cong., 2nd sess., June 17, 1948, S. Doc. 183, p. 52; U.S. Congress, Senate Committee on Appropriations, *Legislative Branch Appropriations Bill, 1948*, report to accompany H.R. 3993, 80th Cong., 1st sess., July 9, 1947, S.rp. 467, p. 89.

⁶⁴ U.S. Congress, Committee on Rules and Administration, Subcommittee on Restaurants, *Report of Proceedings: Hearing Held Before Subcommittee on Restaurants of the Committee on Rules and Administration - Executive Session, Renewal of Contract on Senate Restaurant*, volume 2, 86th Cong., 2nd sess., June 2, 1960 (Washington: Ward & Paul, 1960), p. 33; U.S. Congress, Senate Committee on Rules and Administration, *Report of Proceedings: Hearing Held Before Committee on Rules and Administration - Legislative Business - Executive Session*, unpublished hearing, 87th Cong., 1st sess., June 14, 1961 (Washington: GPO, 1961), pp. 68-69.

⁶⁵ U.S. Congress, Senate Committee on Rules and Administration, Subcommittee on Restaurants, *Report of Proceedings: Hearing Held Before Subcommittee on Restaurants of the Committee on Rules and Administration - Executive Session, Renewal of Contract on Senate Restaurant*, Volume 2, 86th Cong., 2nd sess., June 2, 1960 (Washington: Ward & Paul, 1960), pp. 44-45.

⁶⁶ P.L. 87-82, 75 Stat. 199, July 6, 1961, 2 U.S.C. §2042; CRS Report R40939, *Legislative Branch Revolving Funds*, by (name redacted) and (name redacted).

⁶⁷ Ronald Kessler, “Congress’ Cafeteria Workers Enlist U.N. in Labor Battle,” *Washington Post*, May 30, 1983, pp. A1, A7; Rep. William Lacy Clay, “Treatment Afforded Employees in the House of Representatives’ Cafeterias is Intolerable, Unfair and Unusual,” remarks in the House, *Congressional Record*, vol. 132, part 70 (May 20, 1986), p. H3253. One report notes that some House restaurant workers had been working for union representation since 1970; see “Restaurant Workers’ Unionizing Drive,” *Congressional Quarterly*, December 14, 1985, p. 2628.

⁶⁸ This changed in 1995, when the Congressional Accountability Act applied Chapter 71 of Title 5 of the U.S. Code to (continued...)

While the Senate was run by a private contractor in 1960, some employees began to form a labor union. At the time, it was unclear whether the food service provider was a fully independent contractor, which meant its employees could form a labor organization, or if the Senate acted more like a co-employer, which could make forming a labor organization more difficult, since statute prohibited legislative branch employees from such activity.⁶⁹ Once the restaurants returned to Senate management in 1961, the workers were definitively legislative branch employees, and statute prohibited them from joining a labor organization.

Early Privatization of House Restaurants, 1986-1991

In 1986, the Committee on House Administration began exploring the feasibility of using private restaurant contractors to operate the House restaurants.⁷⁰ The committee created an ad hoc Food Service Task Force to further study the issue, and its chair recommended privatization as a means to improve the financial situation of the House restaurants,⁷¹ subsequently developing guidelines for the AOC to use in the vendor selection process. The Food Service Task Force approved the vendor chosen by the AOC in November 1986, and Service America Corporation began management of the House restaurants on January 3, 1987.⁷² **Table 3** provides information about the various food service providers in the House since 1986.

The contract with Service America was for a three-year period, and required the company to pay a commission to the House amounting to 1% of the House restaurant system's gross profit.⁷³ The switch from classification as House employees to private restaurant employees enabled the workers to unionize under existing law. On February 27, 1987, a majority of the 240 House restaurant system employees voted to join Local 25 of the Hotel and Restaurant Employees Union.⁷⁴ Some restaurant workers reportedly opposed the move to private management because

(...continued)

certain legislative branch employees and enabled House and Senate restaurant employees to join labor organizations if they chose to; see P.L. 104-1, 109 Stat. 3, January 23, 1995. For information on the preceding exception, see U.S. Congress, Senate Committee on Rules and Administration, Subcommittee on Restaurants, *Report of Proceedings: Hearing Held Before Subcommittee on Restaurants of the Committee on Rules and Administration - Executive Session, Renewal of Contract on Senate Restaurant, Volume 2, 86th Cong., 2nd sess., June 2, 1960* (Washington: Ward & Paul, 1960), pp. 50-52; "Congress the Employer," editorial, *Washington Post*, November 28, 1984, p. A20.

⁶⁹ U.S. Congress, Senate Committee on Rules and Administration, Subcommittee on Restaurants, *Report of Proceedings: Hearing Held Before Subcommittee on Restaurants of the Committee on Rules and Administration - Executive Session, Renewal of Contract on Senate Restaurant, Volume 2, 86th Cong., 2nd sess., June 2, 1960* (Washington: Ward & Paul, 1960), pp. 50-52.

⁷⁰ "Task Force To Study House Restaurant," *Congressional Quarterly Weekly Report*, vol. 44, June 21, 1986, p. 1435; U.S. Congress, House Committee on House Administration, *Report of the Activities of the Committee on House Administration During the Ninety-Ninth Congress, 99th Cong., 2nd sess., December 29, 1986, H. Rept. 99-1028* (Washington: GPO, 1987), pp. 42-43.

⁷¹ Kathleen C. James, "New House Cafeteria System Angers Workers," *Roll Call*, January 19, 1987, p. 1.

⁷² U.S. Congress, House Committee on House Administration, *Report of the Activities of the Committee on House Administration During the Ninety-Ninth Congress, 99th Cong., 2nd sess., December 29, 1986, H. Rept. 99-1028* (Washington: GPO, 1987), pp. 97-103.

⁷³ U.S. General Accounting Office, *House Restaurant System: Response to Questions on Service America Corporation's Operations of House Food Services*, GAO/AIMD-94-32, Washington, DC, April 8, 1994, p. 21.

⁷⁴ Reportedly 113 employees voted for Local 25, 52 employees voted to join an alternate union (International Association of Machinists and Aerospace Workers), and 36 employees voted against any union. See Eric Pianin, "House Cafeteria Workers Unionize After Long Battle," *Washington Post*, February 28, 1987, p. B4; Kathleen C. James, "Local 25 Will Represent Cafeteria Workers," *Roll Call*, March 9, 1987, p. 10. Today, House restaurant employees remain affiliated with the same union, although the name has changed; it has been known as UNITE HERE Local 23 since 2004.

they believed they would receive better wages, benefits, and protections as federal employees and viewed the change as a response to workers' labor organizing activities.⁷⁵ Under the negotiated arrangement with Service America, restaurant employees could remain in the federal pension system, and they also could not be terminated without cause or receive pay cuts for two years. Some employees, however, expressed dissatisfaction that their annual leave and sick leave decreased in the transition,⁷⁶ and believed that the changeover prevented them from receiving a pay increase.⁷⁷

House Restaurant Management, 1991-1994

After an initial renewal, the House's contract with Service America was terminated early in July 1991, and the Committee on House Administration charged a group of committee staffers with operating the House restaurants.⁷⁸ Some reports indicate that prior to the contract's termination, some House Members and staff were unhappy with the quality of food and service provided in the restaurants.⁷⁹ Service America claimed that it lost substantial amounts of money running the House restaurants.⁸⁰

During the first year of House management, the restaurants ran a surplus for six months of operation.⁸¹ Under House management, restaurant employees did not have union representation because of their new status as legislative branch employees. Some employees claimed they missed out on scheduled raises promised by the old vendor contract, and saw benefits cut back or eliminated.⁸²

As the House underwent a reorganization of administration and services,⁸³ some Members hoped the House restaurant system would return to private management as a cost-saving measure, along

⁷⁵ For example, see Rep. William Lacy Clay Sr., "Clay Supports House Restaurant Employees," extension of remarks, *Congressional Record*, vol. 131, part 84 (June 21, 1985), p. E2950; See also Peter Perl, "Proposed Contract Imperils House Cafeteria Workers' Jobs," *Washington Post*, June 25, 1985, p. D3; Bill Montague, "House Restaurant Workers Face Contracting Threat," *Federal Times*, vol. 21, July 8, 1985, p. 23.

⁷⁶ Kathleen C. James, "New House Cafeteria System Angers Workers," *Roll Call*, January 19, 1987, p. 1.

⁷⁷ "U.S. Drops Its Feeding Of Congress," *New York Times*, December 26, 1986, p. A10; Sean Ford, "Food Service Workers Dispute Ends, Private Contractor Wins," *Federal Times*, vol. 22 (December 22, 1986), p. 16.

⁷⁸ Timothy J. Burger, "Committee Staffers Now Running House Eateries," *Roll Call*, August 12, 1991, p. 8; U.S. Congress, House Committee on House Administration, *Report on the Activities of the Committee on House Administration of the House of Representatives During the One Hundred Second Congress*, 102nd Cong., 2nd sess., December 30, 1992, H.Rept. 102-1083 (Washington: GPO, 1992), p. 21.

⁷⁹ Service America Replaces Hill Manager for 5th Time in Year," *Roll Call*, October 29, 1990; Timothy J. Burger, "House Admin Investigates Charges That Pages Being Served Leftovers From Members' Buffet," *Roll Call*, April 11, 1991, p. 13; U.S. General Accounting Office, *House Restaurant System: Responses to Questions on Service America Corporation's Operations of House Food Services*, GAO/AIMD-94-32, Washington, DC, April 1994.

⁸⁰ Adam Clymer, "Congressmen Said to Be Dining on the House," *New York Times*, October 3, 1991, p. A16; Guy Gugliotta, "House Members Owe \$300,000 for Hill Meals," *Washington Post*, October 3, 1991, p. A1.

⁸¹ Timothy J. Burger, "In-House Food Operation Makes a Profit, But Ex-Concessionaire Still Owes \$294,000," *Roll Call*, October 1, 1992, p. 3; Timothy J. Burger, "Hefty Eatery Profit," *Roll Call*, June 14, 1993.

⁸² Media reports also indicated that starting wages for new employees also decreased. See Christopher Hanson, "Capitol Hill Food Staff in Turmoil," *Seattle Post-Intelligencer*, March 15, 1993, p. A1; Timothy J. Burger, "Since Budgets Tight, Private Firm May Once More Take Over House Restaurant System," *Roll Call*, p. 17.

⁸³ "House: Leaders May Seek An Administrator," *CQ Weekly*, March 7, 1992, p. 516; "H. Res. 423," *Congressional Record*, vol. 138, part 6 (April 8, 1992), p. 8525; Timothy J. Burger, "Look for New 'House Mess' as Food Service Operations Turned Over to General Wishart," *Roll Call*, May 20, 1993, p.6; CRS Report RS22731, *Chief Administrative Officer of the House: History and Organization*, by (name redacted)

with other non-legislative services.⁸⁴ In January 1993, the Committee on House Administration transferred operation of the cafeteria in the Ford House Office Building to a local restaurateur who agreed to pay the House 4% of gross receipts regardless of whether or not the cafeteria turned a profit.⁸⁵ In March 1994, the Committee on House Administration adopted a committee resolution requiring that the restaurants be turned over to private management within 90 days and authorized the solicitation of bids from vendors, which could include national fast food chains.⁸⁶ The committee stipulated that only 10% of any eatery's revenues could go toward a contractor's administrative costs or profits; any overage would be returned to the restaurants' revolving fund or could be used to lower food prices.⁸⁷ Some news reports revealed concerns about employee job protections in the transition back to private management.⁸⁸

Privatization of House Restaurants in 1994

Following a competitive bidding process, Marriott Management Services Corporation, from Bethesda, Maryland, and Thompson Hospitality L.P., from Reston, Virginia, were awarded a contract to jointly operate the House restaurant system, beginning in July 1994.⁸⁹ House restaurant employees were able to again join a labor union.⁹⁰ In the early 2000s, subcontractors were used to provide catering services, and these employees were sometimes affected differently by measures impacting restaurant workers.⁹¹ By the end of 2008, one vendor, Restaurant Associates, was responsible for all the House eateries.⁹²

⁸⁴ Although it was not agreed to, H. Res. 21 was introduced to “[provide] for savings in the operations of the House of Representatives to be achieved by transferring functions to private sector entities and eliminating staff positions,” see *Congressional Record*, vol. 139, part 1 (January 5, 1993), p. 134. See also Timothy J. Burger, “Since Budgets Tight, Private Firm May Once More Take Over House Restaurant System,” *Roll Call*, March 25, 1993, p. 17.

⁸⁵ Timothy J. Burger, “Private Restaurateur, a Longtime Acquaintance of Chairman Rose, to Run Eateries in Ford Bldg.,” *Roll Call*, January 28, 1993. By 1996, the restaurateur paid 5.5% of gross receipts to the House of Representatives; Amy Keller, “Audit Finds Food Workers Exposed to Health Risks,” *Roll Call*, July 27, 1998.

⁸⁶ Mary Jacoby, “GOP Still Angry About Food Service Move,” *Roll Call*, March 14, 1994, p. 23; Alice A. Love, “Marriott, KFC—and Even Service America—all Consider Bids to Run House Food Service,” *Roll Call*, April 25, 1994, p. 8; Alice A. Love, “Food Firms Worry HRS Will Be a Money-Loser But 75 Come to Query the House Director,” *Roll Call*, April 28, 1994; Alice A. Love, “From Marriott to Skenteris Family, All Seven HRS Bidders Would Offer Variety in Dining,” *Roll Call*, June 6, 1994.

⁸⁷ Timothy J. Burger, “Union Blasts Golden Arches Under Dome,” *Roll Call*, April 19, 1993; Alice A. Love, “Future of Restaurant Workers in Doubt,” *Roll Call*, March 17, 1994, p. 13; Alice A. Love, “Going Inside the House’s Search for Private Food Contractor With ‘Innovative Ideas’ for Restaurants,” *Roll Call*, April 7, 1994, p. 14.

⁸⁸ Timothy J. Burger, “If House Eateries Transferred to Outside Firm, Workers to Get No Job Guarantees,” *Roll Call*, October 25, 1993, p. 13; Love, “Future of Restaurant Workers in Doubt,” p. 13.

⁸⁹ Alice A. Love, “Marriott Wins Food Contract: Longworth to Get Pizza Hut, Taco Bell,” *Roll Call*, June 9, 1994; Alice A. Love, “New Food Team Here,” *Roll Call*, July 4, 1994, p. 1.

⁹⁰ Alice A. Love, “House Food Workers Set To Unionize,” *Roll Call*, June 27, 1994.

⁹¹ During security-related House closures in the fall of 2001, House restaurant employees did not receive wages. A provision was added to the conference report for FY2002 legislative branch appropriations granting House restaurant workers back pay for the days the House closed. Regular restaurant system employees received back pay, but catering employees did not because they were subcontractors. See “Conference Report on H.R. 2647, Legislative Branch Appropriations Act, 2002,” *Congressional Record*, vol. 147, part 149 (November 1, 2001), pp. 7614-7615; Jennifer Yachnin, “Office Closures Hurt Food Service Workers,” *Roll Call*, November 5, 2001.

⁹² U.S. Congress, House of Representatives, Chief Administrative Officer, “House Cafeteria to Undergo Major Menu, Operational Changes in December,” press release, November 13, 2007; U.S. Congress, House of Representatives, Chief Administrative Officer, “CAO Allows Current Ford Cafeteria Vendor to Remain Until September 2008,” press release, November 16, 2007; Emily Yehle, “Ford Eatery Moves,” *Roll Call*, July 28, 2008.

Restaurant Associates was chosen over two other finalists because of “its food quality, range of healthy choices, eatery concepts, pricing and environmentally friendly mission.”⁹³ In keeping with the “Green the Capitol” program in the 110th Congress (2007-2008),⁹⁴ Restaurant Associates committed to more greening measures than it typically provides for clients.⁹⁵ As a result of the costs of these initiatives, the Chief Administrative Officer (CAO) agreed to reimburse Restaurant Associates for those expenses out of the restaurants’ profits, a decision that drew some criticism.⁹⁶

Table 3. House Restaurant System Vendors Since 1986

Start Date	End Date	Vendor
December 1986	August 1991	Service America
August 1991	July 1994	U.S. House of Representatives
January 1993	September 2008	Skenteris Family, Inc. ^a
July 1994	December 1997	Thompson Hospitality Services / Marriot Management Services Corporation
January 1998	December 2007	Guest Services
December 2007	August 2015	Restaurant Associates
August 2015	August 2019 ^b	Sodexo Government Services

Source: CRS analysis of congressional documents and news reports.

Notes: This table only displays information regarding the modern era of privately run House restaurants. In the earliest years of the House restaurants, individual restauranteurs operated the House restaurants.

- a. Skenteris Family, Inc., only operated eateries in the Ford House Office Building.
- b. Expected end date for the current House restaurant contract.

Privatization of Senate Restaurants in 2008

The Senate restaurants were operated by a private vendor from 1947-1961, but day-to-day management was returned to the AOC in 1961, and the restaurants continued to be operated by the Senate until 2008. Throughout the later decades of the twentieth century, the Senate Rules and Administration Committee was concerned with the state of the restaurant finances. During some years, the Senate restaurants were profitable, but during many others, the Senate restaurants lost money. These financial challenges were generally attributable to rising labor and food costs and could not be completely offset with moderate price increases to customers.⁹⁷ At a 1984

⁹³ *CAO Semiannual Report, July-December 2007*, Office of the Chief Administrative Officer, U.S. House of Representatives, February 15, 2008, p. 3.

⁹⁴ See CRS Report RS22731, *Chief Administrative Officer of the House: History and Organization*, by (name redacted) p. 6; *CAO Semiannual Report, July-December 2007*, Office of the Chief Administrative Officer, U.S. House of Representatives, February 15, 2008, p. 21; *CAO Semiannual Report*, Office of the Chief Administrative Officer, U.S. House of Representatives, Washington, DC, January-June 2008, p.3; *Green the Capitol Year End Report*, Office of the Chief Administrative Officer, U.S. House of Representatives, Washington, DC, 2008, p. 8.

⁹⁵ David A. Fahrenthold and Felicia Sonmez, “In the House, Compostable Utensils Replaced with Old-Fashioned Plastic,” *Washington Post*, March 5, 2011; Kris Kitto, “Cafeteria Politics,” March 8, 2011, *The Hill*, p. 22.

⁹⁶ Josephine Hearn, “Pelosi Pushes Gourmet Menu,” *Politico*, January 15, 2008; Mike Buzalka, “The Green House Effect,” *Food Management*, May 2008, pp. 34-43; Emily Yehle, “Greening Plan Evokes Criticism,” *Roll Call*, July 10, 2008.

⁹⁷ U.S. Congress, Senate Committee on Appropriations, Subcommittee on the Legislative Branch, *Legislative Branch Appropriations for Fiscal Year 1980, Part 1—Justifications*, 96th Cong., 1st sess., January 1, 1979 (Washington: GPO, 1979), pp. 699, 702; *Annual Report of the Architect of the Capitol for the period October 1, 1983 to September 30*, (continued...)

appropriations hearing, Senators discussed a proposal to make the restaurants self-supporting, and considered transferring the AOC's role related to the restaurants to the Sergeant at Arms, but no operational changes were made.⁹⁸ In 1997, the Senate authorized a limited two-year early retirement buyout for Senate restaurant employees; approximately 40 employees took advantage of this offer, resulting in some payroll savings.⁹⁹

In March 2008, following continued concerns about financial losses,¹⁰⁰ the Senate Rules and Administration Committee directed the AOC to negotiate Senate restaurant arrangements with a private vendor.¹⁰¹ The Senate signed a contract with Restaurant Associates in September 2008, which was the same food service contractor then used by the House and the Capitol Visitor Center (CVC).¹⁰² Some workers were reportedly concerned about how their wages, benefits, and job security could be affected by the change from congressional to private sector employment.¹⁰³ In July 2012, Senate restaurant employees reportedly voted against joining the Mid-Atlantic Regional Joint Board of Workers United, an affiliate of the Service Employees International Union (SEIU).¹⁰⁴

Some Senate restaurant employees were concerned about what would happen to their pension benefits, which had previously been provided by the federal government. On July 17, 2008, legislation was passed to ensure that, following the transition to private management, Senate restaurant employees had the option to retain their existing benefits, including salary, health insurance, accrued annual and sick leave, transit benefits, and retirement.¹⁰⁵ In the changeover, however, years-of-service for federal retirement benefits were reportedly frozen in 2008 for the approximately 30 employees who continued to work for the Senate restaurants. Some employees alleged that they were not notified of this and other changes to their benefits, including ineligibility for overtime pay and employer-sponsored life insurance.¹⁰⁶

(...continued)

1984, 99th Cong., 2nd sess., January 1, 1986, S. Pub. 99-14, pp. 22-23.

⁹⁸ U.S. Congress, Senate Committee on Appropriations, Subcommittee on Legislative Appropriations, *Legislative Branch Appropriations, FY85*, hearings, 98th Cong., 2nd sess., March 7-8, 21, 1984 (Washington: GPO, 1984), pp. 45, 237-239, 254, 290.

⁹⁹ U.S. Congress, Senate Committee on Appropriations, Subcommittee on Legislative Appropriations, *Legislative Branch Appropriations for Fiscal Year 2000*, hearings, 106th Cong., 2nd sess., March 3, 10, 17, 24, 1999, S. Hrg. 106-33, (Washington: GPO, 1999), pp. 38-39, 46, 73; Amy Keller, "Senate Restaurants Still Mired in Debt," *Roll Call*, June 24, 1999.

¹⁰⁰ Amy Keller, "Restaurants Still in the Red," *Roll Call*, May 1, 2000; U.S. Government Accountability Office, *Financial Audit: Senate Restaurants Revolving Fund for Fiscal Years 2007 and 2006*, report to the Committee on Rules and Administration, U.S. Senate, and the Architect of the Capitol, GAO-08-463, Washington, DC, March 2008; Elizabeth Brotherton, "Audit: Senate Restaurants Still in the Red," *Roll Call*, March 10, 2008.

¹⁰¹ Elizabeth Brotherton, "Senate Cafeterias Set to Be Privatized," *Roll Call*, March 6, 2008; Emily Yehle, "Feinstein Warns Cafeteria Prices Could Rise," *Roll Call*, May 12, 2008; Paul Kane, "Senate Votes To Privatize Its Failing Restaurants," *Washington Post*, June 9, 2008.

¹⁰² Emily Yehle, "Campus Notebook," *Roll Call*, September 18, 2008, p. 3.

¹⁰³ Emily Yehle, "Feinstein Warns Cafeteria Prices Could Rise," *Roll Call*, May 12, 2008.

¹⁰⁴ Emma Dumain, "Vote Set for Food Workers Union," *Roll Call*, July 16, 2012; Emma Dumain, "Union Organizers Challenge Senate Food Service Firm to Debate," *Roll Call*, July 18, 2012; Emma Dumain, "Senate Food Workers Vote Not to Unionize," *Roll Call*, July 24, 2012.

¹⁰⁵ Sen. Barbara Boxer, "Providing for Certain Federal Employee Benefits," remarks in the Senate, *Congressional Record*, vol. 154, part 90 (June 3, 2008), pp. S4986-S4988; Rep. Robert Brady, "Providing for Continued Benefits for Certain Senate Restaurant Employees," remarks in the House, *Congressional Record*, vol. 154, part 90 (July 10, 2008), pp. H6378-H6380; P.L. 110-279, 122 Stat. 2604, July 17, 2008.

¹⁰⁶ Warren Rojas, "Senate Restaurant Staff Rebel Against Benefits Freeze," *Roll Call*, March 10, 2015.

Concluding Observations

The House and Senate restaurants were once virtually the only dining option for Members of Congress, congressional staff, and visitors to the Capitol. As each chamber grew, so did its food service operation, expanding from the Capitol into various office buildings on either side. Today, the House and Senate food services face competition from a number of other sources outside the Capitol complex, yet they remain popular dining options because, in many cases, they are still the most convenient choice. Providing convenient service has consistently been a primary goal of the House and Senate restaurant systems over time, as it helps facilitate legislative and representational work.

The House and Senate food services evolved from small, informal establishments into large, institutionalized restaurant systems by the end of the twentieth century similar, in many ways, to those found in universities or office buildings. Some aspects of House and Senate dining operations, however, remain necessarily unique, because they continue to operate within the Capitol complex and with a degree of congressional involvement and oversight in their operations. Over time, many of the challenges facing the restaurant systems have remained similar, including concerns about restaurant finances, facilities, food services provided, and employee wages and benefits.

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