



House Committee Funding: Process and Analysis of Disbursements

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Summary

Funding for House committees (except for the Committee on Appropriations) follows a two-step process of authorization and appropriation. Operating budgets for all standing and select committees of the House (except for the Committee on Appropriations) are authorized pursuant to a simple resolution, and funding is provided in the Legislative Branch Appropriations bill and other appropriations acts.

On March 17, 2011, the House adopted H.Res. 147, providing for the expenses of certain committees of the House of Representatives in the 112th Congress, by voice vote. The resolution authorized a total of \$284.8 million for committee expenses, \$141.3 million for the first session and \$143.5 million for the second session.

On February 1, 2012, the House adopted H.Res. 496, adjusting the amount provided for the expenses of certain committees of the House of Representatives in the 112th Congress, by voice vote. The resolution reduced the aggregate second session authorization by \$8.7 million, resulting in an adjusted second session authorization of \$134.9 million (a 6.0% reduction) and a total biennial authorization of \$276.2 million for the 112th Congress.

The use of committee funds is subject to chamber rules, law, and regulations promulgated by the Committee on House Administration, the Commission on Congressional Mailing Standards, and the Ethics Committee. Committee funds may only be used to support the conduct of official business of the committee. They may not be used for personal or campaign purposes. Information on individual committee spending is published quarterly in the *Statements of Disbursement of the House*.

This report is organized in three sections. The first provides an overview of the committee funding process in the House and analyzes funding levels since 1995. The second reviews House floor and committee action on committee funding in the 112th Congress. The final section summarizes the rules and regulations that structure the use of committee funds, and analyzes actual committee funding spending patterns during five previous years.

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Introduction

Funding for House committees (except for the Committee on Appropriations¹) follows a two-step process of authorization and appropriation. Operating budgets for all standing and select committees of the House (except for the Committee on Appropriations) are authorized pursuant to a chamber funding resolution, and funding is provided by annual appropriations in the Legislative Branch Appropriations bill and other appropriations acts.

On March 17, 2011, the House adopted H.Res. 147, providing for the expenses of certain committees of the House of Representatives in the 112th Congress, by voice vote. The resolution authorized a total of \$284.8 million for committee expenses, \$141.3 million for the first session and \$143.5 million for the second session.

On February 1, 2012, the House adopted H.Res. 496, adjusting the amount provided for the expenses of certain committees of the House of Representatives in the 112th Congress, by voice vote. The resolution reduced the aggregate second session authorization by \$8.7 million, resulting in an adjusted second session authorization of \$134.9 million (a 6.0% reduction) and a total biennial authorization of \$276.2 million for the 112th Congress.

The use of committee funds is subject to chamber rules, law, and regulations promulgated by the Committee on House Administration, the Commission on Congressional Mailing Standards, and the Ethics Committee. These regulations may be found in a wide variety of sources, including statute, House rules, committee resolutions, the Committee Handbook,² the Franking Manual,³ the House Ethics Manual,⁴ “Dear Colleague” letters, and formal and informal guidance. Committee funds may only be used to support the conduct of official committee business. They may not be used for personal or campaign purposes. Information on individual committee spending is published quarterly in the *Statements of Disbursement of the House*.

This report is organized in three sections. The first provides an overview of the committee funding process in the House and analyzes funding levels since 1995. The second reviews House floor and committee action on committee funding in the 112th Congress. The final section summarizes the rules and regulations that structure the use of committee funds, and analyzes actual committee funding spending patterns during five previous years.

House Committee Funding: Process

Funding for House committees (except for the Committee on Appropriations) usually follows a two-step process of authorization and appropriation. Operating budgets for all standing and select committees of the House (except for the Committee on Appropriations) are authorized biennially

¹ P.L. 79-601, Legislative Reorganization Act of 1946, Section 202(b), 60 Stat. 834, grants the Committee on Appropriations authorization to appropriate funds for its own activities.

² Available at <http://cha.house.gov/handbooks/committee-handbook>.

³ Available at http://cha.house.gov/sites/republicans.cha.house.gov/files/documents/franking_docs/franking_manual.pdf.

⁴ Available at http://ethics.house.gov/sites/ethics.house.gov/files/documents/2008_House_Ethics_Manual.pdf.

pursuant to an omnibus chamber funding resolution (known as the “primary expense resolution”), and funding is typically provided in the Legislative Branch Appropriations bill.⁵

Authorization

Pursuant to House Rule X, clause 6, the Committee on House Administration reports an omnibus, biennial “primary expense resolution” to cover the expenses of each standing and select committee of the House, except the Committee on Appropriations.

In preparation for the biennial resolution, House committees⁶ (except the Appropriations Committee) are required to submit an operating budget request for their necessary expenses over the two years of a Congress.⁷ Each committee is also required to introduce a House resolution to provide the committee with the requisite funds. These actions typically take place during late February.

The individual resolutions are then referred to the Committee on House Administration, which holds hearings on each committee’s request. The chair and the ranking minority Member from each committee are the only witnesses who testify at these hearings, giving them an opportunity to explain and defend their budgets.

After completion of the hearings, the chair of the Committee on House Administration then introduces the omnibus funding resolution, which, after its referral to the Committee on House Administration, serves as the legislative vehicle for a full committee markup. The resolution is typically reported out of committee without amendment.

The primary expense resolution is usually considered by the House in late March of the first session of a Congress. Prior to this consideration, during the first three months of each new Congress, House Rule X, clause 7, authorizes House committees to continue operations at funding levels based on their authorizations from the preceding Congress. Under Rule X, clause 7, this interim funding may not exceed, per month, 9% of the previous year’s funding.

⁵ The funds are contained under the heading “Committee Employees; Standing Committees, Special and Select.” For example, see H.R. 2551, 112th Congress.

⁶ Select committees may not initially follow this process, due to the timing of their establishment. For example, the Select Committee to Investigate the Voting Irregularities of August 2, 2007, which was created by H.Res. 611 of the 110th Congress, was funded by a stand-alone resolution, H.Res. 723. Likewise, the Select Committee on Energy Independence and Global Warming was established by H.Res. 22 of the 110th Congress, which also served as the primary expense resolution for committee funding. Since the Select Committee did not exist prior to the passage of the expense resolution, its funding during the 110th Congress was not preceded by an officially submitted operating budget or a resolution introduced by a committee chair. When the select committee was re-established at the outset of the 111th Congress by H.Res. 5, provisions of the resolution made the select committee subject to the regular committee funding process.

⁷ The budgetary requests include estimated salary needs for staff, costs of consulting services, printing costs, office equipment and supply costs, and travel costs for committee members and staff. Some costs (such as pension and insurance contributions for committee employees) are not directly billed to the committee and are paid from other appropriated funds

Appropriations

Funding for House committees (except the Committee on Appropriations) is provided in the Legislative Branch Appropriations bill. Line-item appropriations are not made for individual committees. Instead, funding is provided as a single total amount for all committees, under the heading “Committee Employees” and the subheading “Standing Committees, Special and Select,” within the House account “Salaries and Expenses.”

Consequently, the amount appropriated for committee funding places a ceiling on *total* committee expenditures, but not on any *individual* committee’s expenditures. The expenditures of individual committees are constrained instead by their authorization.

In addition, because authorizations for committee funds are made biennially on a calendar-year basis and appropriations are made annually on a fiscal-year basis, there is no one-to-one correspondence between the authorization and the appropriations in any given year. For any individual biennial funding resolution, funds may be drawn from money appropriated in three different fiscal years.⁸

Finally, although appropriations are made annually for House committee funding, the language typically states that the funding shall remain available until the end of the second calendar year of the current Congress. For example, in FY2011, committee funds were appropriated to remain available until December 31, 2012.⁹ Likewise, in FY2012, committee funds were also appropriated to remain available until December 31, 2012.¹⁰

Majority / Minority Funding

Clause 6(c) of House Rule X requires that “the minority party (be) treated fairly in the appointment” of committee staff employed pursuant to such expense resolutions. In recent years, the House majority leadership has encouraged its committee leaders to provide the minority with one-third of the remaining committee staff and resources authorized in the biennial funding resolutions. Statements made by the chair and ranking Member of the Committee on House Administration at the beginning of its committee funding review in recent Congresses indicate a general consensus that all House committees should provide at least one-third minority staffing.¹¹

⁸ For example, during the 112th Congress, appropriations for committee funding were included in FY2011 (October 1, 2010 – September 30, 2011) and FY2012 (October 1, 2011 – September 30, 2012) bills, and will be included in the FY2013 (October 1, 2012 – September 30, 2013) bill.

⁹ P.L. 112-10.

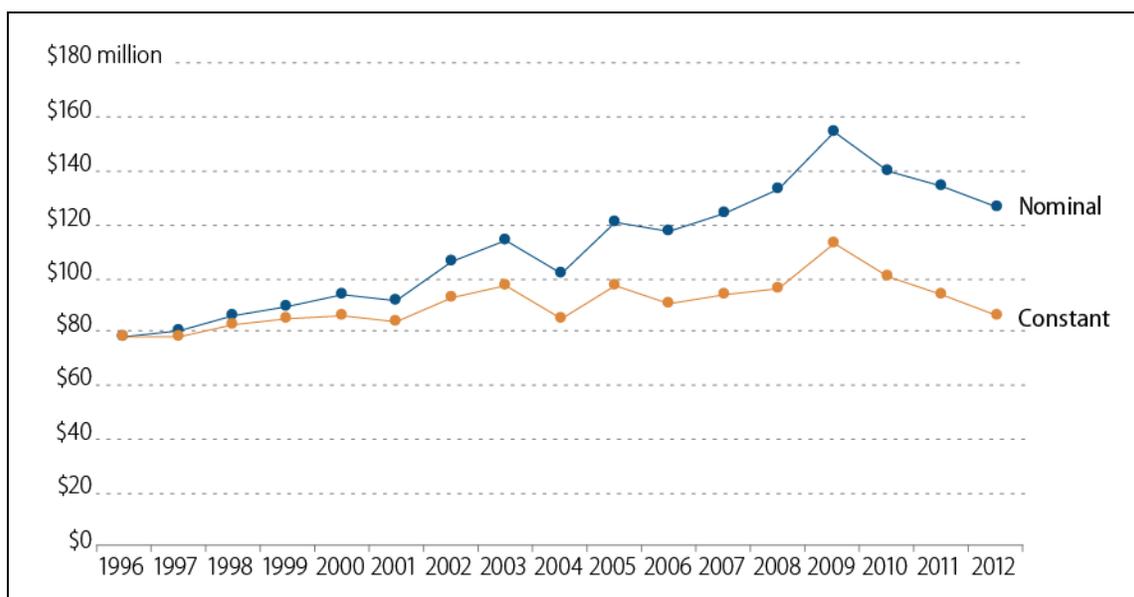
¹⁰ P.L. 112-74.

¹¹ Prior to the 104th Congress, House rules provided a base level of 30 so-called “statutory” staff positions for all House standing committees (except the Appropriations Committee). Funds for these staff were provided through a line-item appropriation and were not included in the funding resolutions reported from the House Administration Committee. Additional so-called “investigatory” staff positions were included in the funding resolution. In the 104th Congress, House rules were changed to (1) provide for biennial committee funding resolutions, and (2) include funding authorization for the baseline 30 staff positions in each committee’s funding authorization.¹¹ Twenty of these positions are allotted to the committee majority and 10 to the committee minority.

Authorization Trends

Figure 1 reports the aggregate committee funding authorization level from 1996-2012, in both nominal and real dollars. Since 1996, aggregate committee funding has increased by slightly less than 70%, from \$79.4 million in 1996 to \$134.9 million in 2012, for an average annual increase of 4.4%. In constant dollars, however, aggregate funding has increased only 16% during the same period, for an annual average real increase of 1%. **Figure 1** also reflects the reduced authorizations agreed to under H.Res. 147 and H.Res. 496 during the 112th Congress.

Figure 1. Aggregate Committee Funding Authorization
1996-2012, Nominal and Constant Dollars



Source: CRS calculations based upon annual committee funding authorizations. Constant dollars based on Consumer Price Index for All Urban Consumers (CPI-U, Bureau of Labor Statistics, U.S. Department of Labor). Base year = 1996.

House Committee Funding: 112th Congress

Committee Action

The Committee on House Administration held a hearing on committee expense requests on March 1 and 2, 2011.¹² Chairs and ranking Members from each standing and select committee (except the Committee on Appropriations) testified on their budget requests.¹³ Representative

¹² U.S. Congress, House Committee on House Administration, *Committee Funding for the 112th Congress (Day 1)*, 112th Cong., 1st sess., March 1, 2011 (Washington: GPO, 2011); U.S. Congress, House Committee on House Administration, *Committee Funding for the 112th Congress (Day 2)*, 112th Cong., 1st sess., March 2, 2011 (Washington: GPO, 2011).

¹³ Ibid. Individual expense resolutions were introduced by committee chairs during the 112th Congress in H.Res. 97, H.Res. 107, H.Res. 108, H.Res. 109, H.Res. 110, H.Res. 112, H.Res. 113, H.Res. 114, H.Res. 116, H.Res. 118, H.Res. 119, H.Res. 120, H.Res. 121, H.Res. 122, H.Res. 123, H.Res. 124, H.Res. 125, H.Res. 126, H.Res. 127, and H.Res. (continued...)

Lundgren, chairman of the panel, indicated that under the current fiscal climate and the provisions of H.Res. 22, committee funds would necessarily need to be reduced from amounts authorized in the 111th Congress.¹⁴

During the hearing, the chairman and the ranking minority Member, Representative Robert Brady, reiterated the longstanding expectation that committee resources would reflect a distribution of 2/3 of the committee staff to the majority, and 1/3 to the minority, and a similar distribution of non-staff resources.¹⁵ In their testimony, most committee chairs and ranking minority Members explicitly acknowledged mutually satisfactory arrangements had been reached regarding the distribution of committee staff and other expenses.¹⁶

On March 9, 2011, the Committee on House Administration marked up H.Res. 147, providing for the expenses of certain committees of the House of Representatives in the 112th Congress, which was reported to the House by voice vote.¹⁷ Section 3(c) of the resolution stipulated that none of the funds for the second session may be made available after March 15, 2012, until the chairs and ranking Members appeared and presented testimony before the Committee on House Administration to review the use of funds in the first session.

House Floor Action

At the outset of the 112th Congress, the House had agreed to H.Res. 22, which reduced the amount authorized for salaries and expenses of Member, committee, and leadership offices in 2011 and 2012. This resolution, agreed to on January 6, 2011, stated that the aggregate amount authorized for expenses of committees for the years 2011 and 2012 could not exceed 95% of the total amount authorized for 2009 and 2010.¹⁸

On March 17, 2011, the House agreed to H.Res. 147, providing for the expenses of certain committees of the House of Representatives in the 112th Congress, by voice vote. The resolution authorized a total of \$284.8 million for committee expenses, \$141.3 million for the first session and \$143.5 million for the second session.¹⁹

(...continued)

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¹⁴ House Committee on House Administration, *Committee Funding for the 112th Congress (Day 1)*, p. 2.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ U.S. Congress, House Committee on House Administration, *Markup of H.Res. 147, the Omnibus Committee Funding Resolution; and Three Committee Resolutions*, 112th Cong., 1st sess., March 9, 2011 (Washington: GPO, 2011).

¹⁸ The authorization for all standing and select committee funding in the 111th Congress (except for the Committee on Appropriations) was contained in H.Res. 279, agreed to by the House on March 31, 2009. Under H.Res. 147, each committee was authorized 95% of the previous total. The total amount authorized, however, was less than 95% of the total amount authorized during the 111th Congress, as the Select Committee for Energy Independence and Global Warming was not re-established in the 112th Congress.

¹⁹ For specific authorization levels of individual committees, see CRS Report RL32794, *House Committee Funding Requests and Authorizations, 104th-112th Congresses*, by Matthew Eric Glassman.

Second Session Authorization Reduced

On December 16, 2011, the Committee on House Administration marked up H.Res. 496, which was reported to the House by voice vote.²⁰ This followed a hearing held, on November 30, by the committee to review the 2011 budgets for all standing and select committees (except the Committee on Appropriations), and to review budget planning for 2012.²¹

On February 1, 2012, the House adopted H.Res. 496, adjusting the amount provided for the expenses of certain committees of the House of Representatives in the 112th Congress, by voice vote. The resolution reduced the aggregate second session authorization by \$8.7 million, resulting in an adjusted second session aggregate authorization of \$134.9 million (6.0% less than the original second session authorization under H.Res. 147) and a corresponding total biennial authorization of \$276.2 million for the 112th Congress.²²

Funding

Appropriations for House standing and select committees are provided annually in the Legislative Branch Appropriations bill. In FY2011, \$134.5 million was appropriated for House standing and select committees (except for the Appropriations Committee) in the Department of Defense and Full-Year Continuing Appropriations Act, 2011, to remain available until December 31, 2012.²³ In FY2012, \$126.0 million was appropriated for House standing and select committees (except for the Appropriations Committee) in Division G of the FY2012 Consolidated Appropriations Act, to remain available until December 31, 2012.²⁴

²⁰ U.S. Congress, House Committee on House Administration, *Markup of H.Res. 496, the Committee Funding Resolution; Committee Resolution 112-9, Standards for the Electronic Posting of House and Committee Documents and Data; and Committee Resolution 112-10, Members' Congressional Handbook*, 112th Cong., 1st sess., December 16, 2011 (Washington: GPO, 2012); See also Bade, Rachel, "Panel Votes to Cut Most House Committee Budgets for Next Year," CQ.com, December 16, 2011.

²¹ U.S. Congress, House Committee on House Administration, *Review of the Use of Committee Funds of the 112th Congress*, 112th Cong., 1st sess., November, 30, 2011 (Washington: GPO, 2012).

²² The aggregate 6.0% reduction was not evenly distributed across all committees. Most committees received a 6.4% reduction. However, the Committee on House Administration received a 7.14% reduction, the Committee on Science, Space, and Technology received a 10.13% reduction, and the Committee on Small Business received a 6.84% reduction. The Committee on Armed Services received a 2% reduction, and the Committee on Ethics received an 11.5% increase. See U.S. Congress, House Committee on House Administration, *Adjusting the Amount Provided for the Expenses of Certain Committees of the House of Representatives in the 112th Congress*, report to accompany H.Res. 496, 112th Cong., 2nd sess., January 12, 2012, H.Rept. 112-362 (Washington: GPO, 2012), p. 2.

²³ P.L. 112-10.

²⁴ P.L. 112-74.

House Committee Funds: Usage

Regulations

In accordance with the regulations contained in the *Committee's Congressional Handbook*,²⁵ "Committee funds are provided to pay ordinary and necessary expenses incurred by committee Members and employees in the United States."²⁶ Ordinary and necessary expenses are defined as "reasonable expenditures in support of official committee business that are consistent with all applicable Federal laws, Rules of the House of Representatives, and regulations of the Committee on House Administration."²⁷ All expenditures are subject to review by the committee chair. Funding "may not be used to defray any personal, political or campaign-related expenses, or expenses related to a Member's personal office."²⁸

Committees may employ permanent staff, consultants, detailees, fellows, interns, temporary and shared employees, and volunteers.²⁹ The terms and conditions of employment for committee staff are determined by the committee chair.³⁰ Total staff ceilings for each committee are set by the Speaker.³¹ Employees of a House committee are covered under the Congressional Accountability Act.

Domestic travel including transportation, lodging, and meals (excluding alcohol) are reimbursable against committee funds.³² Travel expenses may not be for personal or political campaign events and may not exceed 60 consecutive days.³³ Foreign travel is coordinated through the State Department Travel Office and is subject to House Rule X, clause 8(b)(3) where each member and employee on foreign travel must submit an itemized report of expenses to the committee chair.³⁴

Committee Funding in Practice

The following sections provide an analysis of committee expenditures during five different legislative years. Total expenditures of individual committees are examined to ascertain aggregate committee costs and the percentage of the annual authorization expended. Data are also examined on individual expenditures across budget categories, to better understand how committees are using their authorized funds.

²⁵ Available at <http://cha.house.gov/handbooks/committee-handbook>.

²⁶ *Committee's Congressional Handbook*, Introduction.

²⁷ *Ibid.*

²⁸ *Committee's Congressional Handbook*, General.

²⁹ *Committee's Congressional Handbook*, Committee Staff, Consultants, and Detailees.

³⁰ *Ibid.* In practice, most committee chairs delegate such decisions for minority staff to the ranking Member of the committee.

³¹ *Committee's Congressional Handbook*, Committee Staff, Consultants, and Detailees.

³² *Committee's Congressional Handbook*, Domestic Travel.

³³ *Ibid.*

³⁴ *Committee's Congressional Handbook*, Foreign Travel.

Methodology

Data

Data on committee expenditures were compiled using the quarterly *Statement of Disbursements of the House*, which reports all individual House expenditures disbursed during the previous quarter.³⁵ The *Statement of Disbursements* aggregates expenditures for individual committees across standard budget object classes used by the federal government, which serve as the unit of analysis (see below). Data were examined for five different years: 1997, 1998, 2003, 2004, and 2009, for a total of 20 quarters of expenditures. The universe of data includes over 2,800 observations.³⁶

For each year analyzed, disbursement reports for 16 quarters were examined, since, pursuant to law, late-arriving bills may be paid for up to two years following the end of the fiscal period funds were appropriated.³⁷ Since committee funds are typically appropriated to expire at the end of a Congress, late-arriving bills from either session could be paid with old appropriations through the end of the following Congress. For example, while committees could only obligate 1997 or 1998 authorized expenditures from January 3, 1997, until January 2, 1998, and from January 3, 1988 until January 2, 1999, respectively, late-arriving receipts for either authorization could be paid through the quarter ending December 31, 2000, since FY1997 and FY1998 appropriations for committee funds were available through December 31, 1998.³⁸

Categories of Spending

House spending is categorized by the standard budget object classes used for the federal government.³⁹ These include

- personnel compensation;

³⁵ The *Statements of Disbursements* are published as House documents and have been made publicly available in the Legislative Resource Center. Beginning with the quarter ending September 30, 2009, disbursements are available on the House of Representatives website, at <http://disbursements.house.gov>.

³⁶ One general caveat accompanies this analysis. The data provide only a snapshot of committee expenditures in particular years. Although such data can be used to assess the general contours of committee spending patterns, they do not predict future spending, either by individual committees or in aggregate.

³⁷ Pursuant to law, late-arriving bills may be paid for up to two years following the end of an appropriation. The permissibility of payment for late-arriving bills does not provide flexibility in the timing of the obligation. The two-year period for late receipts for Congress is shorter relative to annual appropriations for much of the rest of the federal government, which is subject to a five-year period (31 U.S.C. 1551 *et al.*). This is discussed in the *Principles Of Federal Appropriations Law*. This publication states: "For appropriations of the House and Senate, unobligated balances more than two years old cannot be used short of an act of Congress. Instead, obligations chargeable to appropriations that have been expired for more than 2 years 'shall be liquidated from any appropriations for the same general purpose, which, at the time of payment, are available for disbursement.' 2 U.S.C. §102a." United States General Accounting Office, *Principles Of Federal Appropriations Law*, Third Edition, vol. I, January 2004, <http://www.gao.gov/special.pubs/3rdEditionVol1.pdf>, page 5-76 – 5-77.

³⁸ In addition, FY1999 appropriations for committee funds were available beginning October 1, 1998. These funds could, in theory, be used to liquidate CY1998 obligations as late as December 31, 2002, since they did not expire until December 31, 2000. However, CRS analysis found no late-arriving bills liquidated more than two years after the end of an authorization period.

³⁹ This classification system is derived from U.S. Office of Management and Budget, *OMB Circular A-11*, 2009 edition, http://www.whitehouse.gov/omb/Circulars_a11_current_year_a11_toc/.

- personnel benefits;
- travel;
- rent, communications, and utilities;
- printing and reproduction;
- other services;
- supplies and materials;⁴⁰
- transportation of things; and
- equipment.

The disbursement volumes also contain a category for franked mail.⁴¹

Expenditures as a Percentage of Authorization

Table 1 demonstrates that the overwhelming majority of committees used almost all of the funds authorized to them. Across all years, slightly less than 8% of the committees spent less than 80% of their authorization; whereas 72% of the committees spent 90% or more of their authorization, and 38% of committees spent more than 95% of their authorization.

Table 1. Percentage of Authorization Expended

House Standing and Select Committees (excluding Appropriations Committee), Select Years

| Year | < 80% | 80-90% | 90-95% | 95-99% | >99% | Total Number |
|--------------|---------------|-----------------|-----------------|-----------------|-----------------|------------------|
| 1997 | 2 | 3 | 3 | 5 | 6 | 19 |
| 1998 | 0 | 4 | 4 | 5 | 6 | 19 |
| 2003 | 3 | 2 | 7 | 4 | 4 | 20 |
| 2004 | 2 | 4 | 1 | 10 | 3 | 20 |
| 2009 | 1 | 6 | 6 | 4 | 4 | 21 |
| Total | 8 (5%) | 19 (29%) | 21 (29%) | 28 (19%) | 23 (19%) | 99 (100%) |

Source: CRS analysis of *Statement of Disbursements*.

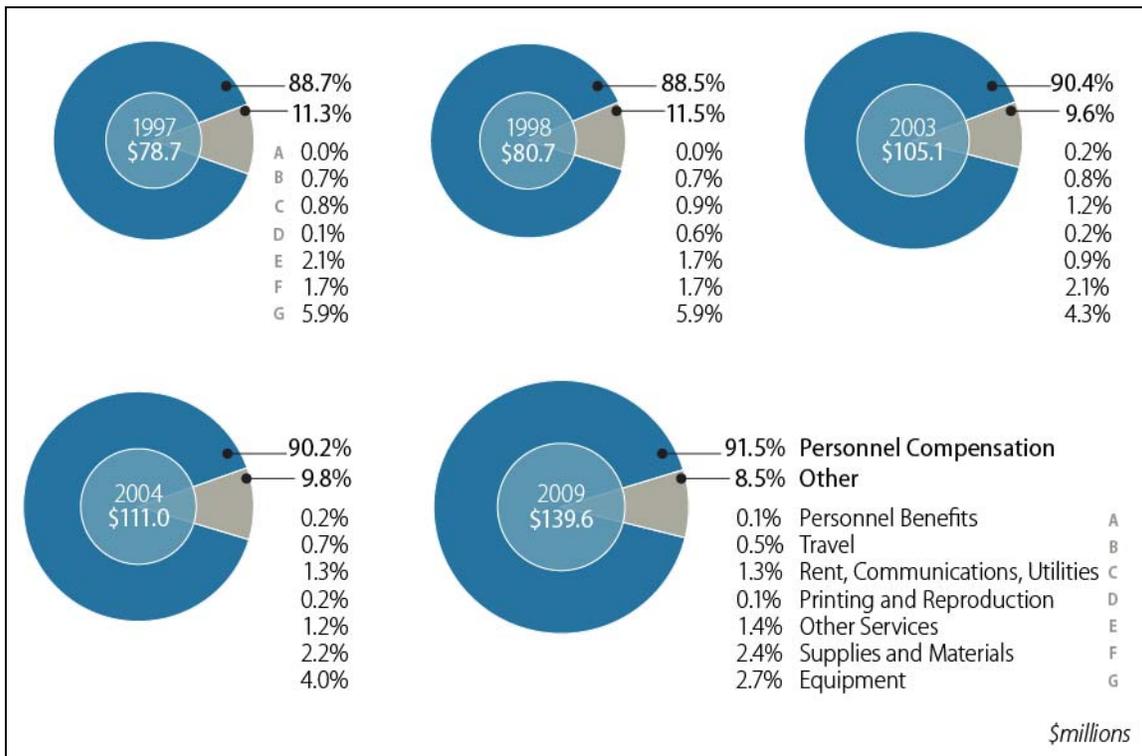
⁴⁰ This may include, for example, office supplies, bottled water, and publication/reference material.

⁴¹ Certain expenses are not included in committee expenditures and will not be reflected in these totals. These costs include the salaries of Members and certain benefits—including health and life insurance and retirement—for both Members and staff. Additionally, the range of items that may be covered by an office, as well as payment ceilings, have changed over time. For example, in a “Dear Colleague” letter of April 20, 2009, the Committee on House Administration announced that effective June 1, 2009, a transit benefit program previously administered in part by the committees would be administered centrally and available to all qualifying House employees. Previously, committees could determine whether or not to provide the transit benefit to their employees from committee funds. Those who offered this benefit would record the expenditure under the personnel benefits category. In addition to administrative changes, the maximum authorized level has also changed a number of times since the establishment of the program. The House increased the maximum per month from \$100 to \$105,⁴¹ for example, effective January 1, 2005.

Spending by Budget Category

Figure 2 shows that the largest category of spending in all five years, accounting for just over 90% of total committee spending, was for “Personnel compensation.” Beyond these staff expenses, committees spent an aggregate of 4.3% of their expenditures on “Equipment,” just over 2% on “Supplies and Materials,” and two-thirds of 1% on travel. The use of most committee funds on personnel is true both across time and across individual committees. Only one committee – the then-Select Committee on Homeland Security in 2003, its first full year in existence – spent less than 85% of its funds on personnel.

Figure 2. Expenditures by Category, as a Percentage of Committee Spending
House Standing and Select Committees (excluding Appropriations Committee), Select Years



Source: CRS calculations based on the *Statements of Disbursements* for 1997, 1998, 2003, 2004, and 2009.

Notes: The figures only represent spending supported by committee funds. For example, this does not include Member salaries, government contributions for employee benefits (which are paid through another House account), the cost of DC office space, and various services provided by other House administrative offices.

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