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Legislative Branch: FY2011 Appropriations

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Summary

The legislative branch operated on continuing resolutions from October 1, 2010 (P.L. 111-242, P.L. 111-290, P.L. 111-317, P.L. 111-322, P.L. 112-4, and P.L. 112-6) until the enactment of P.L. 112-10 on April 11, 2011. P.L. 112-10 provides $4.54 billion for legislative branch activities.

The legislative branch appropriations bill provides funding for the Senate; House of Representatives; Joint Items; Capitol Police; Office of Compliance; Congressional Budget Office; Architect of the Capitol, including the Capitol Visitor Center; Library of Congress, including the Congressional Research Service; Government Printing Office; Government Accountability Office; and Open World Leadership Program.

Approximately $5.12 billion was requested for legislative branch operations in FY2011, an increase of 10% over the FY2010 level of $4.656 billion, which was provided in P.L. 111-68 (enacted October 1, 2009). The FY2010 Supplemental Appropriations Act (P.L. 111-212) provided an additional $12.96 million for the Capitol Police.

The Subcommittees on the Legislative Branch of the House and Senate Appropriations Committees both held hearings during which Members considered the legislative branch requests. Among issues that have been considered during hearings are the following:

- the Capitol Police salary miscalculation related to night differential pay and holiday and overtime pay;
- the Capitol Police radio project, including timing and infrastructure support by the Architect of the Capitol;
- deferred maintenance issues around the Capitol Complex;
- technology assessments;
- staffing issues related to recruitment and retention, requests for additional full-time-equivalents (FTE), diversity, and space; and
- the potential impact of a flat budget on agency priorities and missions.

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

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Most Recent Developments

The Department of Defense and Full-Year Continuing Appropriations Act, 2011 (P.L. 112-10) provides $4.54 billion for legislative branch activities for FY2011. This act continues funding and language contained in the FY2010 Legislative Branch Appropriations Act (P.L. 111-68), unless otherwise specified, and includes an across-the-board rescission of 0.2%.

From October 1, 2010, until the enactment of this legislation on April 11, 2011, the legislative branch operated on continuing resolutions. These continuing resolutions included P.L. 111-242 (through December 3, 2010), P.L. 111-290 (through December 18, 2010), P.L. 111-317 (through December 21, 2010), P.L. 111-322 (through March 4, 2011), P.L. 112-4 (through March 18, 2011) and P.L. 112-6 (through April 8, 2011).

Some of these continuing resolutions contained language affecting the legislative branch or adjusting funding levels. These include the following:

- P.L. 112-6: This law reduced the amount provided for "House of Representatives—Salaries and Expenses" by $1.5 million and the amount provided for "Library of Congress—Salaries and Expenses" by an additional $750,000. This funding had been provided in FY2010 for transfer to the Abraham Lincoln Bicentennial Commission.
- P.L. 112-4: This law reduced the amount provided for "Library of Congress—Salaries and Expenses" by $200,000. This funding had been provided in FY2010 for a preservation and digitization project.
- P.L. 111-322: This law contained language for the United States Capitol Police.

Prior to the enactment of P.L. 112-10, multiple proposals for funding the legislative branch for the remainder of FY2011 were considered. The House passed H.R. 1 on February 19, 2011.[1] During House consideration of H.R. 1, one amendment related to the House was adopted by voice vote (H.Amdt. 68 on February 17, 2011). Subsequently, Section 1901 of the House-passed version of H.R. 1 states, "Notwithstanding section 1101, the level for `House of Representatives, Salaries and Expenses' shall be $1,288,299,072 (reduced by $1,500,000)." The Senate amendment to H.R. 1, S.Amdt. 149, was considered on March 9, 2011.[2] No further action was taken.

Additionally, both the House and Senate have adopted language in the 112th Congress affecting spending within each chamber. H.Res. 22, adopted by the House on January 6, 2011, reduces the authorized amounts for the Member's Representational Allowances, House leadership offices, and all committees except the Committee on Appropriations by 5%, with a 9% reduction for the Committee on Appropriations. An amendment (S.Amdt. 182) offered by Senator Nelson to S. 493, the SBIR/STTR Reauthorization Act of 2011, stated, "It is the sense of the Senate, that it should lead by example and reduce the budget of the Senate by at least 5 percent." The amendment was adopted on March 16, 2011. No further action on this bill occurred as of the date of this report.

The FY2011 legislative branch budget request, which was submitted to Congress on February 1, 2010, contains $5.12 billion in new budget authority, an approximately 10% increase over the

[1] For the CBO cost estimate, see http://cbo.gov/ftpdocs/120xx/doc12075/hr1corrected.pdf.

[2] For the CBO cost estimate, see http://cbo.gov/ftpdocs/120xx/doc12091/Amendment149toHR1.pdf.

FY2010 enacted level. The House and Senate Appropriations Committees Subcommittees on the Legislative Branch each held hearings during which the agency requests were examined.

Previously, the FY2010 Legislative Branch Appropriations Act provided $4.656 billion for FY2010 legislative branch operations, and the FY2009 Omnibus Appropriations Act provided $4.4 billion.[3] In FY2009, an additional $25 million was provided for the Government Accountability Office (GAO) in the American Recovery and Reinvestment Act of 2009.[4] P.L. 111-32, the FY2009 Supplemental Appropriations Act, also contained funding for the police radio system ($71.6 million) and Congressional Budget Office ($2 million).[5]

House Subcommittee Action in 2010

On July 1, 2010, the House Appropriations Committee, Subcommittee on the Legislative Branch, held a markup of the FY2011 bill. The subcommittee mark contained $3.65 billion, not including Senate items. This level is approximately $7 million below the FY2010 enacted level and $337 million less than requested for these accounts. The largest increase would be provided to the Capitol Police ($8.9 million over the FY2010 enacted level, or 2.7%). The largest decrease would be for the Open World Leadership Program, which would have its budget reduced by $3 million, or 25%.[6]

Senate Committee Action in 2010

The Senate Appropriations Committee held a markup on September 16, 2010, and reported an original bill for legislative branch appropriations. The Senate bill (S. 3799) contained $3.136 billion, not including House items. This is the same amount provided for FY2010 and $435.6 million less than requested.

FY2010 Supplemental Appropriations

On April 5, 2010, the President submitted a request from the Capitol Police for $15.956 million in FY2010 supplemental appropriations.[7]

Both the House- and Senate-passed versions of H.R. 4899 contained $174,000 for a payment to widows and heirs of deceased Members of Congress. The Senate version also contained $12.96 million for the Capitol Police for completion of the indoor coverage portion of the new radio system, to remain available until September 30, 2012. The FY2010 Supplemental Appropriations Act (P.L. 111-212, enacted July 29, 2010) contained funding for both items.

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[3] **Table 4** presents information on the legislative branch FY2010 and FY2011 appropriations.

[4] P.L. 111-5, February 17, 2009, 123 Stat. 191.

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

[6] U.S. Congress, House of Representatives, Committee on Appropriations, "Legislative Branch Appropriations Summary – FY2011," press release, July 1, 2010.

[7] The letter states, "As a matter of comity between branches, appropriations requests of the Legislative Branch are transmitted without change." Letter from President Barack Obama to Speaker Nancy Pelosi, April 5, 2010, 111th Cong., 2nd sess., H.Doc. 111–104 (Washington, GPO: 2010). Available at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_documents&docid=f:hd104.111.pdf.

Legislative Branch Appropriations Bill Structure

Since FY2003, the annual legislative branch appropriations bill has usually contained two titles. Appropriations for legislative branch agencies are contained in Title I. These entities, as they have appeared in the annual appropriations bill, are the Senate; House of Representatives; Joint Items;[8] Capitol Police; Office of Compliance; Congressional Budget Office; Architect of the Capitol, including the Capitol Visitor Center; Library of Congress, including the Congressional Research Service; Government Printing Office; Government Accountability Office; and Open World Leadership Program.

Title II often contains general administrative provisions.[9] For example, Title II of the FY2010 act (P.L. 111-68) contained language (1) prohibiting the use of funds for the maintenance or care of private vehicles; (2) limiting funds provided in the act to FY2010 unless otherwise specified; (3) addressing the rate of compensation of staff; (4) making contracts for consulting services a matter of public record and available for public inspection, with certain exceptions; (5) providing funds for awards and settlements under the Congressional Accountability Act of 1995; (6) addressing cost-sharing for the Legislative Branch Financial Managers Council (LBFMC); (7) providing for landscape maintenance by the Architect of the Capitol; (8) limiting transfers except as provided by law; and (9) prohibiting the use of funds to restrict guided tours of the Capitol led by House and Senate staff and interns, except for temporary suspensions with the direction or approval of the Capitol Police Board.

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

Prior to enactment of the FY2003 bill, and effective in FY1978, the legislative branch appropriations bill was structured differently. Title I, Congressional Operations, contained budget authority for activities directly serving Congress.[10] Title II, Related Agencies, contained budget authority for activities considered by the Committee on Appropriations not directly supporting Congress.[11] Occasionally, from FY1978 through FY2002, the annual legislative appropriations bill contained additional titles for such purposes as capital improvements and special one-time functions.

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[8] Funded within the Joint Items account are the Joint Economic Committee, Joint Committee on Taxation, Office of the Attending Physician, and Office of Congressional Accessibility Services. From FY1996-FY2009, and prior to FY1993, "Joint Items" also included the Statement of Appropriations. From FY1996 through FY2009, the "Joint Items" also included the Capitol Guide Service and Special Services Office. Under the Capitol Visitor Center Act of 2008 (P.L. 110-437), funding for the Capitol Guide Service was transferred to the Architect of the Capitol and funding for the Special Services Office was transferred to the Office of Congressional Accessibility Services.

[9] For additional information, see CRS Report 98-648, *Appropriations Bills: What Are "General Provisions"?* by Sandy Streeter.

[10] Included in this title were the budgets of the Senate; House of Representatives; Joint Items; Office of Compliance; Congressional Budget Office; Architect of the Capitol, except funds for Library of Congress buildings and grounds; Congressional Research Service, within the Library of Congress; and congressional printing and binding activities of the Government Printing Office.

[11] Included in this title were the budgets of the Botanic Garden; Library of Congress (except the Congressional Research Service, which was funded in Title I); Library of Congress buildings and grounds maintained by the Architect of the Capitol; Government Printing Office (except congressional printing and binding costs, which were funded in Title I); and Government Accountability Office, formerly named the General Accounting Office.

Subcommittee Structure

Since the 110th Congress, and prior to the 109th Congress, both the House and Senate Appropriations Committees established Legislative Branch Subcommittees. The House subcommittee did not exist in the 109th Congress, and the full House committee considered the legislative branch bill. In the 109th Congress, the Senate continued its practice of having a Legislative Branch Subcommittee.[12]

Previously, both the House and Senate Appropriations Committees generally had a separate Legislative Branch Subcommittee dating back at least to the Legislative Reorganization Act of 1946, with the exception of the 83rd Congress (1953-1954), during which the House and Senate Appropriations Committees established a subcommittee to consider both legislative and judiciary matters. The two chambers subsequently returned to the former practice of a separate Legislative Subcommittee beginning in the 84th Congress (1955).[13]

Table 1. Legislative Branch Appropriations, FY2000-FY2010

(budget authority in billions of dollars)

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
2.486[a]	2.730[b]	3.252[c]	3.461[d]	3.528[e]	3.640[f]	3.793[g]	3.852[h]	3.970	4.501[i]	4.669[j]

Source: Congressional Research Service

Notes: These figures represent current dollars, exclude permanent budget authorities, and contain supplementals and rescissions. Permanent budget authorities, including funding for Member pay, are not included in the annual legislative branch appropriations bill but, rather, are automatically funded each year.

a. Includes budget authority contained in the FY2000 Legislative Branch Appropriations Act (P.L. 106-57), a supplemental and a 0.38% rescission in P.L. 106-113, and supplementals in P.L. 106-246 and P.L. 106-554.

b. This figure contains (1) FY2001 appropriations contained in H.R. 5657, legislative branch appropriations bill; (2) FY2001 supplemental appropriations of $118 million and a 0.22% across-the-board rescission contained in H.R. 5666, miscellaneous appropriations bill; and (3) FY2001 supplemental appropriations of $79.5 million contained in H.R. 2216 (P.L. 107-20). H.R. 5657 and H.R. 5666 were incorporated by reference in P.L. 106-554, FY2001 Consolidated Appropriations Act. The first FY2001 legislative branch appropriations bill, H.R. 4516, was vetoed Oct. 30, 2000. The second legislative branch appropriations bill, H.R. 5657, was introduced Dec. 14, 2000, and incorporated in P.L. 106-554. This figure does not reflect any terrorism supplemental funds released pursuant to P.L. 107-38.

c. This figure contains appropriations in P.L. 107-68, transfers from the legislative branch emergency response fund pursuant to P.L. 107-117, and FY2002 supplemental appropriations in P.L. 107-206.

d. This figure contains appropriations in P.L. 108-7, FY2003 Omnibus Appropriations Act, and supplemental appropriations in P.L. 108-11.

e. This figure contains appropriations in P.L. 108-83, FY2004 Legislative Branch Appropriations Act. Additional FY2004 provisions which did not contain appropriations were contained in P.L. 108-199, the FY2004 Consolidated Appropriations Act.

f. This figure contains appropriations in P.L. 108-447, Consolidated Appropriations Act, FY2005 (adjusted by a 0.80% rescission also contained in P.L. 108-447), and P.L. 109-13, FY2005 Emergency Supplemental.

[12] Under a House Appropriations Committee reorganization plan released on February 9, 2005, the subcommittee was abolished and its jurisdiction assumed by the full Appropriations Committee. Although changes were made in the structure of the Senate Committee on Appropriations, announced in March 2005, the Subcommittee on Legislative Branch was retained. Under a reorganization plan announced by the House Appropriations Committee on January 4, 2007, the House Subcommittee on Legislative Branch was reestablished for the 110th Congress.

[13] For additional information on the subcommittee structure, see CRS Report RL31572, *Appropriations Subcommittee Structure: History of Changes from 1920-2011*, by Jessica Tollestrup.

g. This figure contains appropriations in P.L. 109-55, FY2006 Legislative Branch Appropriations Act (adjusted by a 1.0% rescission contained in P.L. 109-148), and the FY2006 Emergency Supplemental Appropriations Act (P.L. 109-234).

h. This figure contains appropriations in P.L. 110-5, the Revised Continuing Appropriations Resolution, 2007, and P.L. 110-28, the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007.

i. This figure contains the appropriations in P.L. 110-161, the FY2009 Omnibus Appropriations Act, $25 million for the legislative branch contained in the American Recovery and Reinvestment Act of 2009 (P.L. 111-5), and $73.6 million contained in P.L. 111-32.

j. This figure contains the appropriations in P.L. 111-68, the FY2010 Legislative Branch Appropriations Act, and the $12.96 million in supplemental appropriations provided for the U.S. Capitol Police in P.L. 111-212.

Status of FY2011 Appropriations

Table 2. Status of Legislative Branch Appropriations, FY2011

Committee Markup							Conference Report Approval		
House	Senate	House Report	House Passage	Senate Report	Senate Passage	Conference Report	House	Senate	Public Law
	(9/16/10)		H.R. 1473; 4/14/11	(S.Rept. 111-294, S. 3799)	H.R. 1473; 4/14/11				P.L. 112-10 4/15/11

Source: Congressional Research Service

Notes: Actions from the 111th Congress appear in parenthesis. Funding for the legislative branch for FY2011 was enacted in the 112th Congress and contained in the Department of Defense and Full-Year Continuing Appropriations Act, 2011.

Action on the FY2011 Legislative Branch Appropriations Bill

Submission of FY2011 Budget Request on February 1, 2010, and FY2010 Supplemental Request Submitted April 5, 2010

The *FY2011 U.S. Budget* submitted on February 1, 2010, contained a request for $5.10 billion in new budget authority for legislative branch activities, an increase of approximately 9.6% from the FY2010 enacted level.[14] A substantial portion of the increase requested by legislative branch entities was to meet (1) mandatory expenses, which include funding for annual salary adjustments required by law and related personnel expenses, such as increased government contributions to

[14] Pursuant to 31 U.S.C. 1105, "Estimated expenditures and proposed appropriations for the legislative branch and the judicial branch to be included in each budget ... shall be submitted to the President ... and included in the budget by the President without change." The President is required to submit the proposed budget to Congress by the first Monday in February. Office of Management and Budget, *Analytical Perspectives, Budget of the United States Government, FY2011*, Table 33-1—Federal Programs by Agency and Account (Washington: GPO, 2010), pp. 2-16; and Office of Management and Budget, *Appendix, Budget of the United States Government, FY2011*, (Washington: GPO, 2010), p. 19-51.

retirement based on increased pay, and (2) expenses related to increases in the costs of goods and services due to inflation.

On April 5, 2010, an additional $15.956 million was requested by the Capitol Police "to purchase and install and implement the indoor coverage portion of the new radio system for the Capitol Police."[15]

Senate and House Hearings on the FY2011 Budget

Table 3 lists the dates of hearings of the Legislative Branch Subcommittees in 2010.

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

	House of Representatives	Senate
Senate	—	March 4, 2010
House of Representatives	March 10, 2010	—
Capitol Police	March 24, 2010	March 4, 2010
Office of Compliance	March 17, 2010	March 18, 2010
Congressional Budget Office	March 17, 2010	April 15, 2010
Architect of the Capitol	March 17, 2010	March 18, 2010
Library of Congress, including the Congressional Research Service	April 21, 2010	April 29, 2010
Government Printing Office	April 21, 2010	April 15, 2010
Government Accountability Office	March 17, 2010	April 15, 2010
Open World Leadership Center	April 21, 2010	April 29, 2010
Members/Public Witnesses	February 24, 2010	—

Source: Congressional Research Service

House Appropriations Committee Subcommittee Markup

As stated above, the House Appropriations Committee, Subcommittee on the Legislative Branch, held a markup of the FY2011 bill on July 1, 2010.

Senate Appropriations Committee Markup and Report

The Senate Appropriations Committee held a markup on September 16, 2010. The committee ordered reported an original bill, S. 3397.

[15] The request was transmitted by the President to Congress on April 5, 2010, with a letter stating, "As a matter of comity between branches, appropriations requests of the Legislative Branch are transmitted without change." Letter from President Barack Obama to Speaker Nancy Pelosi, April 5, 2010, 111th Cong., 2nd sess., H.Doc. 111–104 (Washington, GPO: 2010). Available at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_documents&docid=f:hd104.111.pdf.

FY2011 Legislative Branch Funding Issues

Senate

Overall Funding

The Senate received $914.15 million in FY2011 appropriations.

The Senate had requested $1.04 billion for its internal operations, an increase of $115.76 million, or 12.5%, over the FY2010 level of $926.16 million. The FY2010 level represented a 3.5% increase over FY2009.

FY2011 requests and FY2010 funding levels for headings within the Senate account are presented in **Table 5**.

Senate Committee Funding

Appropriations for Senate committees are contained in two accounts:[16]

- The *inquiries and investigations account* contains funds for all Senate committees except Appropriations. The Senate had requested $164.57 million for inquiries and investigations, an increase of 17.1% from the $140.50 million provided in FY2010. P.L. 112-10 provided funding at the FY2010 level.
- The *Committee on Appropriations account* contains funds for the Senate Appropriations Committee. The Senate had requested $15.84 million, an amount equal to the FY2010 level. P.L. 112-10 provided funding at the FY2010 level.

Senators' Official Personnel and Office Expense Account

The Senators' Official Personnel and Office Expense Account provides each Senator with funds to administer an office. It consists of an administrative and clerical assistance allowance, a legislative assistance allowance, and an official office expense allowance. The funds may be used for any category of expenses, subject to limitations on official mail. A total of $458.62 million was requested, an increase of $36.62 million (8.7%) over the $422.00 million provided in FY2010.

P.L. 112-10 reduced the Senators' Official Personnel and Office Expense Account by $12.0 million from the FY2010 level. The act also provided that "each Senator's official personnel and office expense allowance (including the allowance for administrative and clerical assistance, the salaries allowance for legislative assistance to Senators, as authorized by the Legislative Branch Appropriation Act, 1978 (Public Law 95-94), and the office expense allowance for each Senator's office for each State) in effect immediately before the date of enactment of this section shall be reduced by 5 percent."

[16] For additional information on committee funding, see CRS Report R40424, *Senate Committee Expenditures Resolutions, 112th Congress, and Funding Authorizations Since 1995*, by R. Eric Petersen, R. Sam Garrett, and Erin Hemlin.

House of Representatives

Overall Funding

P.L. 112-10 provides $1.31 billion in new budget authority for the House.

The House requested $1.42 billion in new budget authority for its internal operations, an increase of 3.6% ($49.95 million) over the $1.37 billion provided in the FY2010 Legislative Branch Appropriations Act.

FY2011 requests and FY2010 funding levels for headings in the House of Representatives account are presented in **Table 6**.

House Committee Funding[17]

Funding for House committees is contained in the appropriation heading "committee employees," which comprises two subheadings.

The first subheading contains funds for personnel and nonpersonnel expenses of House committees, except the Appropriations Committee, as authorized by the House in a committee expense resolution. The FY2011 request contains $157.06 million, a 12.3% increase over the $139.88 million provided in FY2010. P.L. 112-10 provides $134.5 million, a decrease of $5.3 million.

The second subheading contains funds for the personnel and nonpersonnel expenses of the Committee on Appropriations. The House has requested $32.30 million, an increase of 3.2% ($1 million) over the FY2010 level. P.L. 112-10 provides $28.5 million, a decrease of $2.8 million.

Members' Representational Allowance[18]

The Members' Representational Allowance (MRA) is available to support Members in their official and representational duties. A total of $671.07 million was requested for FY2011, which represents $11.07 million (1.7%) over the $660.0 million provided in FY2010. P.L. 112-10 provides $613.05 million, a decrease of $46.95 million.

Green the Capitol Initiative[19]

The Green the Capitol Initiative was created in March 2007, when Speaker Nancy Pelosi, Majority Leader Steny Hoyer, and the chair of the Committee on House Administration, the late Representative Juanita Millender-McDonald, asked the Chief Administrative Officer (CAO) of the House, Daniel Beard, to provide an "environmentally responsible and healthy working environment for employees."[20]

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[17] For additional information on committee funding, CRS Report RL32794, *House Committee Funding Requests and Authorizations, 104th-112th Congresses*, by R. Eric Petersen, R. Sam Garrett, and Erin Hemlin.

[18] For additional information, see CRS Report R40962, *Members' Representational Allowance: History and Usage*, by Ida A. Brudnick.

[19] This section on the "Green the Capitol Initiative" was contributed by Jacob R. Straus, Analyst on the Congress, Government and Finance Division. For additional information, see CRS Report RL34694, Administering Green Programs in Congress: Issues and Options, by Jacob R. Straus.

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

For FY2008, $3.27 million was requested to implement the Green the Capitol Initiative, which included $100,000 in the Architect of the Capitol's House office buildings account for new light bulbs and $500,000 in the Capitol Grounds section of the report for an E-85 gasoline pump.[21] The FY2008 Consolidated Appropriations Act provided $3.9 million for new "green" initiatives, including $100,000 for the House Office Buildings account, $500,000 for the Capitol Grounds account, and $3.27 million for the Capitol Power Plant.[22] In addition, the FY2008 Consolidated Appropriations Act included an amendment to 2 U.S.C. § 117m(b), which governs the operation of the House Services Revolving Fund, allowing the CAO to use the revolving fund for environmental activities, including energy and water conservation, in buildings, facilities, and grounds under his jurisdiction.[23]

For FY2009, the CAO requested $2 million for the Green the Capitol Initiative.[24] Although not specifically addressed in P.L. 111-8 or the explanatory statement, the program received $1 million according to the House Committee on Appropriations press release.

The FY2010 request contained $10 million for energy demonstration projects.[25] The House-passed bill and the FY2010 law provided $2.5 million,[26] a level continued in P.L. 112-10. The FY2011 request contained $500,000.[27]

Support Agency Funding

U.S. Capitol Police

The U.S. Capitol Police are responsible for the security of the Capitol Complex including the U.S. Capitol, the House and Senate office buildings, the U.S. Botanic Garden, and the Library of Congress buildings and adjacent grounds.

P.L. 112-10 provided $340.14 million for the Capitol Police (USCP) for FY2011. The USCP had requested $376.02 million. The FY2010 law provided $328.3 million and P.L. 111-212 provided an additional $12.96 million. The USCP had requested $15.956 million in FY2010 supplemental appropriations.[28] The USCP FY2011 and FY2010 funding levels are also presented in **Table 7**.

Appropriations for the police are contained in two accounts—a *salaries account* and a *general expenses account.* The salaries account contains funds for the salaries of employees; overtime

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

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

[23] The amendment to 2 U.S.C. § 121m was provided in P.L. 110-161, 121 Stat. 2225, December 26, 2007.

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

[25] Available at http://www.gpoaccess.gov/usbudget/fy10/pdf/appendix/leg.pdf, p. 19.

[26] P.L. 111-68, 123 Stat. 2028, October 1, 2009.

[27] Available at http://www.gpoaccess.gov/usbudget/fy11/pdf/appendix/leg.pdf.

[28] Letter from President Barack Obama to Speaker Nancy Pelosi, April 5, 2010, 111th Cong., 2nd sess., H.Doc. 111–104 (Washington, GPO: 2010). Available at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_documents&docid=f:hd104.111.pdf; and Letter from President Barack Obama to Speaker Nancy Pelosi, June 18, 2010, 111th Cong., 2nd sess., H.Doc. 111–125 (Washington, GPO: 2010). Available at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_documents&docid=f:hd125.111.pdf.

pay; hazardous duty pay differential; and government contributions for employee health, retirement, Social Security, professional liability insurance, and other benefit programs. The general expenses account contains funds for expenses of vehicles; communications equipment; security equipment and its installation; dignitary protection; intelligence analysis; hazardous material response; uniforms; weapons; training programs; medical, forensic, and communications services; travel; relocation of instructors for the Federal Law Enforcement Training Center; and other administrative and technical support, among other expenses. P.L. 112-10 provided $277.13 million for salaries and $63.00 million for expenses. The Capitol Police had requested $280.33 million for salaries and $95.69 million for general expenses.

Another appropriation relating to the Capitol Police appears within the Architect of the Capitol account for Capitol Police buildings and grounds. P.L. 112-10 provides $26.98 million. The FY2011 request of $39.52 million represented an increase of 46.3% from the $27.01 million provided in FY2010. The FY2010 level was an increase of 42.2% from the nearly $19 million provided in FY2009, and the FY2009 level was a 27.2% increase over the $14.9 million provided in FY2008.

Highlights of the House and Senate Hearings on the FY2011 Budget of the U.S. Capitol Police

Hearings in both the Senate (March 4, 2010) and House (March 24, 2010) subcommittees focused on the U.S. Capitol Police budget shortfall and pending budget amendment. Chief Phillip D. Morse discussed the salary miscalculation related to night differential pay and holiday and overtime pay, and the subcommittees noted that the Capitol Police inspector general would be examining the issue. The subcommittees also discussed continued difficulties in predicting overtime costs. The House also raised the possibility of placing responsibility for the police budget in another legislative branch agency.

Architect of the Capitol

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

Overall Funding Levels

Operations of the Architect are funded in the following 10 accounts: general administration, Capitol building, Capitol grounds, Senate office buildings, House office buildings, Capitol power plant, Library buildings and grounds, Capitol Police buildings and grounds, Capitol Visitor Center, and Botanic Garden.

P.L. 112-10 provides $585.77 million, including a $14.6 million rescission for the Capitol Visitor Center. The Architect had requested $754.81 million, an increase of $153.22 million (25.5%) over the $601.6 million provided in FY2010.

Previously, in FY2010, a 21.7% increase (or $644.6 million) was requested and a 13.6% increase was provided ($601.6 million). In FY2009, a 55.4% increase ($642.7 million) was requested and a 28% increase ($529.6 million) was provided. The FY2008 budget authority represented a

decrease of 8.1% from the $449.9 million (including supplemental appropriations) provided in FY2007.

The FY2011 request and FY2010 funding level for each of the AOC accounts is presented in **Table 8**.

Capitol Power Plant Utility Tunnels[29]

The condition of the Capitol Power Plant utility tunnels, and the funds necessary to repair them, have been discussed during appropriations hearings in recent fiscal years. The funding for repairs follows a complaint issued February 28, 2006, by the Office of Compliance regarding health and safety violations in the tunnels. The Office of Compliance had previously issued a citation due to the condition of the tunnels on December 7, 2000. On November 16, 2006, the Government Accountability Office (GAO) wrote a letter to the chair and ranking minority Members of the Senate Committee on Appropriations, Subcommittee on the Legislative Branch, and the House Committee on Appropriations, examining the conditions of the tunnels, plans for improving conditions, and efforts to address workers' concerns.[30] Potential hazards identified by the Office of Compliance and GAO include excessive heat, asbestos, falling concrete, lack of adequate egress, and insufficient communication systems. In May 2007, the Architect of the Capitol and the Office of Compliance announced a settlement agreement for the complaint and citations.

Steps necessary to remedy the situation, as well as the actions and roles of the Architect of the Capitol and the Office of Compliance, have been discussed at multiple hearings of the House and Senate Appropriations Committees since 2006. Other committees have also expressed concern about the utility tunnels and allegations of unsafe working conditions. For example, the Senate Committee on Health, Education, Labor and Pensions, Subcommittee on Employment and Workplace Safety, heard testimony on tunnel safety during a March 1, 2007, hearing on the effects of asbestos.

Following the complaint by the Office of Compliance, Congress provided $27.6 million in FY2006 emergency supplemental appropriations to the Architect of the Capitol for Capitol Power Plant repairs,[31] and an additional $50 million was provided in emergency supplemental appropriations for FY2007.[32] The Architect of the Capitol had requested $24.77 million for FY2008.[33] This request, which was submitted prior to the provision of funds in the May 2007 emergency supplemental appropriations act, was not supported by either the House or Senate Appropriations Committee.[34]

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[29] For additional information, see CRS Report R40563, *Capitol Power Plant Utility Tunnels: Background and Oversight Options*, by Jacob R. Straus and CRS Report R40433, *The Capitol Power Plant: Background and Greening Options*, by Jacob R. Straus and Paul W. Parfomak.

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

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

[32] P.L. 110-28, 121 Stat. 112, May 25, 2007.

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

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

According to the explanatory statement produced by the Committee on Appropriations, the FY2009 Omnibus provides $56.4 million for the utility tunnel project.[35] The Architect had requested $126.65 million to meet the terms of the settlement agreement. AOC indicated in its budget justification that "the bulk of this work will begin in early calendar year 2009, and will extend through the spring of 2011."[36]

The FY2010 budget request contained $45.77 million for the tunnel program. During the House hearing on April 23, 2009, however, the Acting Architect testified that the utility tunnel abatement project is ahead of schedule and under budget. The House-passed bill contained $16.85 million.[37] The Senate also provided this total, stating the following:[38]

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

The FY2010 act contained the $16.85 million provided in the House and Senate versions of the bill. The FY2011 request contains $13.95 million.

Administrative Provisions

P.L. 112-10 did not contain the AOC's requested administrative provisions. These provisions would

1. establish an Architect of the Capitol Senior Executive Service, and
2. allow the Architect to use Federal Acquisition Streamlining Act procedures for procurement.

The employment provision was previously requested in FY2009[39] and FY2010,[40] and the Senate report on the FY2010 legislative branch appropriations bill directed GAO to conduct a study of AOC senior employment.[41] This authority was subsequently addressed with the introduction of a

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Appropriations, *Legislative Branch Appropriations, 2008*, report to accompany H.R. 2771, 110th Cong., 1st sess., H.Rept. 110-198 (Washington: GPO, 2007), p. 20.

[35] *Congressional Record*, February 23, 2009, p. H2396.

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

[37] U.S. House of Representatives, Committee on Appropriations, *Legislative Branch Appropriations Bill, 2010*, H.Rept. 111-160, (Washington, GPO: 2009) p. 21.

[38] U.S. Senate, Committee on Appropriations, *Legislative Branch Appropriations Bill, 2010*, S.Rept. 111-29, (Washington, GPO: 2009), p. 33.

[39] Available at http://www.gpoaccess.gov/usbudget/fy09/pdf/appendix/leg.pdf, p. 36.

[40] Available at http://www.gpoaccess.gov/usbudget/fy10/pdf/appendix/leg.pdf, p. 32.

[41] U.S. Senate, Committee on Appropriations, *Legislative Branch Appropriations Bill, 2010*, S.Rept. 111-29, (Washington, GPO: 2009), p. 28. The report stated the following: "GAO Senior Level Employees Study—AOC has informed the Committee that it is having difficulties attracting and retaining top quality senior level employees, and has proposed new administrative pay and leave authorities they believe would alleviate this concern. Before adding these new authorities, the Committee would like to understand the extent to which there are problems with recruitment and

bill (H.R. 6399) on November 15, 2010. The bill was passed by the House the next day and agreed to in the Senate by unanimous consent on December 4, 2010. It became P.L. 111-316 on December 18, 2010. The act contains language allowing the Architect to fix the salary of up to 32 positions at a rate not to exceed the highest rate for the Senior Executive Service (SES) and made AOC appropriations for the Capitol Police available for the acquisition of property.

Administrative language regarding acquisitions also was requested in FY2010.[42]

Highlights of the House and Senate Hearings on the FY2011 Budget of the Architect of the Capitol

Both the House and Senate Legislative Branch Subcommittees discussed the Architect's prioritization of projects, including the balance between short- and long-term needs, the number of deferred maintenance projects, and the role of the Office of Compliance. They also both addressed the Architect's renewed request for additional employment authorities for senior staff.

During the House hearing on March 17, 2010, the Legislative Branch Subcommittee also discussed renovations to the Cannon House Office Building, recycling, energy audits, and numerous items related to the CVC, including shuttle buses for visitors, signs, and staff requests.

Among the other topics addressed at the Senate subcommittee hearing on March 18, 2010, were the potential impact of a flat budget, repairs in the Capitol Power Plant utility tunnels, the final cost of the CVC, and staffing levels. The subcommittee also discussed the preliminary findings of a blue ribbon panel examining a proposed fire enclosure of the Russell Senate Office Building staircases. The issue had been previously discussed by the subcommittee during consideration of the FY2010 bill. See also, "Office of Compliance."

The subcommittees also noted that Steven Ayers, who has served as Acting Architect of the Capitol since February 4, 2007, was nominated to a 10-year term by President Barack Obama on February 24, 2010.[43] The nomination was referred to the Senate Committee on Rules and Administration, which held a hearing on April 15, 2010. The nomination also followed passage in the House on February 3, 2010, of H.R. 2843, the Architect of the Capitol Appointment Act of 2010. The bill would alter the AOC appointment process and require the appointment to be made by the leadership of Congress rather than the President.

Congressional Budget Office (CBO)

CBO is a nonpartisan congressional agency created to provide objective economic and budgetary analysis to Congress. CBO cost estimates are required for any measure reported by a regular or conference committee that may vary revenues or expenditures.[44]

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retention, and how best to address such concerns. The Committee directs GAO to undertake a review that addresses the following questions: What specific recruitment and retention challenges (including vacancies and attrition rates) does AOC face for senior-level positions and what impact do these challenges have on AOC's operations; what is AOC doing to fill vacancies and retain needed staff within these senior-level positions; and what else could be done, including successful practices used by other agencies, to address any documented hiring and retention challenges for AOC senior-level positions. GAO should report back to the Committee on its findings within 60 days of the enactment of this bill."

[42] Ibid., p. 30.

[43] For additional information, see CRS Report R41074, *Architect of the Capitol: Appointment Process and Current Legislation*, by Ida A. Brudnick.

[44] The Congressional Budget Office is required to use estimates provided by the Joint Committee on Taxation for all

P.L. 112-10 provides $46.77 million for CBO. CBO had requested $47.29 million (a $2.12 million, or 4.7%, increase) over the $45.17 million provided in FY2010. The FY2010 level represented a 2.5% increase from the $44.1 million provided in the FY2009 Omnibus Appropriations Act. In FY2009, CBO also received $2.0 million, to remain available through FY2010, in the FY2009 Supplemental Appropriations Act (P.L. 111-32).

Highlights of the House Hearing on the FY2011 Budget of the CBO

The House subcommittee hearing on March 17, 2010, addressed a requested increase in full-time-equivalent (FTE) staff from 254 to 258, the ideal staff size for CBO, and related issues including space within the Ford House Office Building. Dr. Douglas Elmendorf, Director of the Congressional Budget Office, also responded to questions related to diversity at CBO, the hiring cycle, coordination of work related to healthcare with other legislative support agencies to minimize overlap, and efforts to ensure responsiveness to majority and minority requests for budget scores.

Library of Congress (LOC)

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

P.L. 112-10 provides $628.60 million for the Library of Congress. The Library had requested $674.79 million for FY2011, an increase of 4.9% over the $643.3 million provided in FY2010. The FY2010 level represented an increase of 6.0% over the FY2009 level of $607.1 million,[45] and the FY2009 level represented an increase of approximately 7.8% over the $563 million provided in the FY2008 Consolidated Appropriations Act. These figures do not include additional authority to spend receipts.[46]

The FY2011 budget contains the following headings:

- Salaries and expenses—P.L. 112-10 provides $431.76 million. The Library had requested $460.92 million, a 4.8% increase ($21.12 million) over the $439.80 million provided for FY2010. This amount does not include $6.35 million in authority to spend receipts.
- Copyright Office—P.L. 112-10 provides $17.76 million. The Library had requested $22.40 million (not including $34.39 million in authority to spend receipts), a 7.3% increase ($1.53 million) over the $20.86 million (not including $34.61 million in authority to spend receipts) provided for FY2010.

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

[45] This percentage is not adjusted for non-recurring costs, including the transfer of the Library of Congress Police to the Capitol Police.

[46] An example of receipts are fees paid to the LOC for copyright registration.

- Congressional Research Service—P.L. 112-10 provides $111.02 million. The Library had requested $119.92 million, a 6.6% increase ($7.43 million) over the $112.49 million provided for FY2010.
- Books for the Blind and Physically Handicapped—P.L. 112-10 provides $68.05 million. The Library had requested $71.55 million, a 1.9% increase ($1.37 million) over the $70.18 million provided for FY2010.

The Architect's budget also contains funds for the Library buildings and grounds. P.L. 112-10 provides $45.70 million. The Library had requested $101.20 million, a 121% increase ($55.41 million) from the $45.80 million provided for Library buildings and grounds in FY2010. The requested increase would support multi-year projects related to fire and life safety and for a new storage module in Fort Meade, MD. The FY2010 level represented an increase of 17.1% from the FY2009 enacted level of $39.1 million.

Administrative Provisions

The Library requested a number of administrative provisions for FY2011, which would

1. provide authority to obligate funds for reimbursable and revolving fund activities (also contained in the FY2010 Legislative Branch Act);
2. provide transfer authority among Library of Congress headings (also contained in the FY2010 Legislative Branch Act);
3. make amounts appropriated for "Library of Congress - Salaries and Expenses" available for repayment of student loans for Library employees without regard to the appropriation or fund that pays the employee's salary;
4. make available balances of expired Library of Congress appropriations available for the purposes of making payments for employees of the Library of Congress under Section 8147 of Title 5, United States Code (relating to workers compensation payments); and,
5. authorize the Librarian of Congress to dispose of surplus or obsolete personal property of the Library of Congress, with amounts received credited to funds available for the operations of the Library of Congress and available for the costs of acquiring similar property.

Government Accountability Office (GAO)

GAO works for Congress by responding to requests for studies of federal government programs and expenditures. GAO may also initiate its own work.[47] Formerly the General Accounting Office, the agency was renamed the Government Accountability Office effective July 7, 2004.

P.L. 112-10 provides $546.22 million. GAO had requested $601.12 million (not including $19.44 million in offsetting collections),[48] a 7.9% increase ($44.27 million) from the $556.85 million (not including $15.22 million in offsetting collections) provided in FY2010. GAO received $531.0 million, not including offsetting collections, in the FY2009 Omnibus Appropriations Act and an additional $25 million in P.L. 111-5 to cover responsibilities under the American Recovery and Reinvestment Act of 2009.

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

[48] Offsetting collections include funds derived from reimbursable audits and rental of space in the GAO building.

Highlights of House Hearing on the FY2011 Budget of the GAO

The House subcommittee held its hearing on GAO's request on March 17, 2010. Gene Dodaro, Acting Comptroller of the United States, discussed GAO's (1) staffing level and a requested increase of 140 FTEs, (2) staff diversity, (3) recurring mandates under the American Recovery and Reinvestment Act of 2009, (4) technology assessments, (5) work with the Capitol Police on budgetary issues, (6) ability to obtain information from the intelligence community, and (7) studies on Iraq and Afghanistan.

Government Printing Office (GPO)[49]

P.L. 112-10 provides $135.07 million. GPO had requested $166.56 million, a 13.0% increase ($19.10 million) from the $147.46 million provided for FY2010. The FY2010 level represented an increase of 4.9% over the $140.6 million provided in the FY2009 Omnibus Appropriations Act. The FY2009 level represented an increase of 12.7% over the $124.7 million provided in the FY2008 Consolidated Appropriations Act.

GPO's budget authority is contained in three accounts: (1) congressional printing and binding, (2) Office of Superintendent of Documents (salaries and expenses), and (3) the revolving fund. FY2009 levels for these accounts are as follows:

- Congressional printing and binding—P.L. 112-10 provides $93.58 million. GPO had requested $96.65 million, a 3.1% increase ($2.88 million) over the $93.77 million provided for FY2010.
- Office of Superintendent of Documents (salaries and expenses)—P.L. 112-10 provides $39.83 million. GPO requested $44.21 million, an 8.1% increase ($3.297 million) over the $40.91 million provided for FY2010.
- Revolving fund—The revolving fund supports the operation and maintenance of the Government Printing Office.[50] P.L. 112-10 provides $1.66 million. GPO had requested $25.70 million, a 101.1% increase ($12.92 million) over the $12.78 million provided for FY2010. The request included "$11,000,000 for information technology development, including $6,000,000 to continue developing FDsys; $7,250,000 for facilities repairs and related projects, including $2,000,000 for continued elevator repairs; $4,200,000 for continuity of operations (COOP) projects ... and $3,250,000 for workforce retraining and development programs."[51]

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

[49] For additional information on GPO, see CRS Report R40897, *Congressional Printing: Background and Issues for Congress*, by R. Eric Petersen and Amber Hope Wilhelm.

[50] For additional information, see CRS Report R40939, *Legislative Branch Revolving Funds*, by Ida A. Brudnick and Jacob R. Straus.

[51] *Justification of Budget Estimates*, in U.S. Congress, House Committee on Appropriations, Subcommittee on the Legislative Branch, *Legislative Branch Appropriations for 2011*, hearings, part 1, 111th Cong., 2nd sess. (Washington: GPO, 2010), p. 732.

calendars; bills, resolutions, and amendments; committee reports and prints; committee hearings; and other documents.

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

Office of Compliance

The Office of Compliance is an independent and nonpartisan agency within the legislative branch. It was established to administer and enforce the Congressional Accountability Act, which was enacted in 1995.[52] The act applies various employment and workplace safety laws to Congress and certain legislative branch entities.[53]

P.L. 112-10 provides $4.08 million. The initial budget request contained $4.858 million for FY2011, an increase of 11.0% ($481,057) from the $4.377 million provided in FY2010. In her testimony before the House subcommittee on March 17, 2010, Tamara E. Chrisler, Executive Director of the Office of Compliance, stated the office was requesting a revised figure "of $4,675,491, a $298,491 or 6.82% increase."[54]

The FY2010 level represented an increase of 7.5% from the $4.1 million provided in the FY2009 Omnibus, which was an increase of 21.8% over the FY2008 level of $3.3 million.

Highlights of House and Senate Hearings on the FY2011 Budget of the Office of Compliance

The House subcommittee hearing on March 17, 2010, addressed issues including (1) the prioritization of fire and life safety issues, (2) staff salary increases, (3) office space issues, and (4) the most common types of hazards and cooperation from the House offices to reduce them.

At its March 18, 2010, hearing, the Senate subcommittee asked for an update of a review required in the FY2010 conference report of standards used by the Office of Compliance for historic buildings and a comparison of these standards to the executive branch.[55] The subcommittee also addressed the decrease in the number of hazards counted by the Office of Compliance.

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[52] P.L. 104-1, 109 Stat. 3, January 23, 1995. The act, as amended, applies 12 civil rights, labor, and workplace safety laws to Congress and certain legislative branch agencies. These laws are the Age Discrimination in Employment Act, Americans with Disabilities Act, Title VII of the Civil Rights Act of 1964, Employee Polygraph Protection Act, Fair Labor Standards Act, Family and Medical Leave Act, Federal Services Labor-Management Relations Act, Occupational Safety and Health Act of 1970, Rehabilitation Act of 1970, Veterans' employment and reemployment rights at Chapter 43 of Title 38 of the U.S. Code, Worker Adjustment and Retraining Act, and Veterans Employment Opportunities Act.

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

[54] U.S. Congress, House Committee on Appropriations, Subcommittee on the Legislative Branch, *Legislative Branch Appropriations for 2011*, hearings, part 2, 111th Cong., 2nd sess. (Washington: GPO, 2010), p. 241. See also, Letter from President Barack Obama to Speaker Nancy Pelosi, June 18, 2010, 111th Cong., 2nd sess., H.Doc. 111–125 (Washington, GPO: 2010). Available at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_documents&docid=f:hd125.111.pdf.

[55] U.S. Congress, *Legislative Branch Appropriations, 2010*, H.Rept. 111-265, conference report to accompany H.R.

Open World Leadership Center

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

Established at the Library of Congress as the Center for Russian Leadership Development in 2000, the center was renamed the Open World Leadership Center in 2003, when the program was expanded to include specified additional countries.[56] In 2004, Congress further extended the program's eligibility to other countries designated by the center's board of trustees, subject to congressional consideration.[57] The center is housed in the Library and receives services from the Library through an inter-agency agreement.

P.L. 112-10 provides $11.38 million. Open World had requested $14.0 million, a $2.0 million (16.7%) increase over the $12.0 million provided for FY2010. The FY2010 level represented a decrease of 13.7% from the $13.90 million provided in the FY2009 Omnibus. In FY2008, Open World received $8.98 million in budget authority, a decrease of 35% from the $13.86 million provided in FY2007 and FY2006.

Ongoing Discussion of Location of Open World

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

The FY2010 House Appropriations Committee report states that "the Legislative Branch Subcommittee has been clear that it expects the Open World program to become financially independent of funding in this bill as soon as possible."[58] This sentiment was also expressed in the conference report, which stated the following:

> The conferees are fully supportive of expanded efforts of the Open World Center to raise private funding and expect this effort to reduce the requirements for funding from the

2918 (Washington, GPO: 2009) p. 35. This language stated the following: "The conferees are concerned that the Congressional Accountability Act of 1995 may enable the Office of Compliance (OOC) to apply a higher enforcement standard for certain health and safety standards than those applied to the Executive Branch and private sector. Strict statutory deadlines for remedying citations exacerbate this situation, and have led AOC to give highest priority to projects for which OOC has issued citations regardless of whether they represent the highest risk to health and safety.... The conferees believe that the standards applied to the legislative branch should be consistent with their application to the private sector and the executive branch. Therefore, the conferees expect the Office of Compliance General Counsel (OOCGC) to work with legislative branch agency heads to implement corrective actions in a realistic and reasonable time frame, taking into consideration the risks the deficiencies pose, the costs involved in remedying the deficiencies, as well as mitigating factors which have been implemented (sprinklers, alarms, and other building improvements) to reduce risk. The conferees expect the OOCGC to amend its regulations to establish criteria that use a comprehensive risk-based approach, including the cost of remedial actions as well as building renovations planned for the future, in working with agencies to address needed corrections."

[56] P.L. 106-554, 114 Stat. 2763, 2763A-120, December 21, 2000; P.L. 108-7, 117 Stat. 382, February 20, 2003. According to the 2003 act, the additional countries include "any country specified in section 3 of the FREEDOM Support Act (22 U.S.C. 5801)," and "Estonia, Latvia, and Lithuania." The countries specified in 22 U.S.C. 5801 are Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

[57] P.L. 108-447, 118 Stat. 3192, December 8, 2004.

[58] U.S. House of Representatives, Committee on Appropriations, *Legislative Branch Appropriations Bill, 2010*, H.Rept. 111-160, (Washington, GPO: 2009) p. 29.

> Legislative Branch appropriations bill in future years. The Committees look forward to a report of progress being made by the Center's fundraising program prior to hearings on its fiscal year 2011 budget request.[59]

Previously, during a hearing on the FY2009 budget, Ambassador John O'Keefe, the executive director of Open World, testified that the program may attract different participants if associated with the executive branch rather than the Library of Congress.[60] The FY2009 explanatory statement directed the Open World Leadership Center Board of Trustees to work with the State Department and the judiciary to establish a shared funding mechanism.[61]

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

John C. Stennis Center for Public Service Training and Development

The center was created by Congress in 1988 to encourage public service by congressional staff through training and development programs.[64] In FY2011, $430,000 was requested for the Stennis Center, the same level provided in FY2010 and FY2009. P.L. 112-10 provided $429,140.

Technology Assessments for Congress[65]

Since the closure of the Office of Technology Assessment (OTA), which was a legislative branch agency established in 1972 and last funded in FY1996,[66] congressional appropriators have periodically reexamined funding for scientific studies by the legislative branch.[67] In recent

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[59] U.S. Congress, *Legislative Branch Appropriations, 2010*, H.Rept. 111-265, conference report to accompany H.R. 2918 (Washington, GPO: 2009) p. 42.

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

[61] *Congressional Record*, February 23, 2009, p. H2398.

[62] In H.R. 2771 (110th Cong.), the House-passed version of the FY2008 appropriations bill, the House Appropriations Committee recommended $6 million for Open World. The committee report stated that an additional $6 million would be provided for transfer to the program in the FY2008 State, Foreign Operations, and Related Programs appropriation. The House-passed bill, which retained the committee-recommended funding level, also contained an administrative provision transferring the Open World Leadership Center to the Department of State effective October 1, 2008. The Senate-reported bill (S. 1686, 110th Cong.) would have provided $13.5 million in new budget authority for Open World.

[63] P.L. 110-161, 121 Stat. 2251, December 26, 2007.

[64] 2 U.S.C. 1105. See also http://www.stennis.gov/.

[65] For additional information, see CRS Report RS21586, *Technology Assessment in Congress: History and Legislative Options*, by Genevieve J. Knezo.

[66] P.L. 92-484, October 13, 1972, 86 Stat. 797; P.L. 104-53, November 19, 1995, 109 Stat. 526.

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

Congresses, some Members have expressed support for the refunding of OTA through the distribution of "Dear Colleague" letters[68] and the introduction of legislation.[69] Other Members have suggested that technology assessments may be conducted more cost-effectively by existing legislative branch agencies.

The FY2008 Consolidated Appropriations Act provided $2.5 million to GAO for technology assessments.[70] The FY2009 explanatory statement indicates that funding continues to be provided for these studies.[71]

On May 5, 2009, the House subcommittee invited Members and public witnesses to testify on their interests for FY2010. Representative Rush Holt asked the subcommittee to provide $35 million for the re-funding of the OTA. The subcommittee discussed the possibility of other legislative branch agencies—including CRS and GAO—conducting these studies, with the dialogue including the methodologies used by these agencies; the relative costs of expanding one agency versus reestablishing OTA; timeliness of OTA's analysis; and the ability of Congress to obtain technology assessments from outside entities. The FY2010 House report indicated that funding was provided "at the fiscal year 2009 level for GAO to conduct technology assessment studies."[72]

During the February 24, 2010, subcommittee hearing for Members and public witnesses, Representative Rush Holt again asked for the restoration of funding for OTA. Dr. Francesca Grifo, director of the Scientific Integrity Program of the Union of Concerned Scientists, also requested the reestablishment of OTA. Issues discussed during the hearing included whether or not the authorizing statutes for OTA (2 U.S.C. 471 *et seq.*) would have to be updated prior to any reestablishment and ensuring that any research resources could be accessible to all Members of Congress. The subcommittee also discussed whether these assessments can be conducted more cost-effectively in existing agencies.

Table 4. Legislative Branch Appropriations

(in thousands of dollars)

Entity	FY2010 Enacted[a]	FY2011 Request[b]	FY2011 Senate-Reported Bill	FY2011 Enacted
Title 1: Legislative Branch Appropriations				
Senate[c]	926,160	1,041,918	926,179	914,153
House of Representatives	1,369,025	1,418,972	___	1,311,396
Joint Items	21,323	21,356	20,925	19,794
Capitol Police[d]	341,274	385,476	335,435	340,137
Office of Compliance	4,377	4,858	4,377	4,077

2009, hearings, part 2, 110th Cong., 2nd sess. (Washington: GPO, 2008), p. 682.

[68] See, for example, House "Dear Colleague" letters of January 7, 2003; July 8, 2004; May 24, 2007; May 31, 2007; and May 18, 2009.

[69] See, for example, H.R. 125 (108th Cong.); H.R. 2148 (107th Cong.), and amendments to H.R. 1854 (104th Cong.).

[70] *Congressional Record*, December 17, 2007, p. 16373.

[71] *Congressional Record*, February 23, 2009, p. H2397.

[72] U.S. House of Representatives, Committee on Appropriations, *Legislative Branch Appropriations Bill, 2010*, H.Rept. 111-160, (Washington, GPO: 2009) p. 29.

Entity	FY2010 Enacted[a]	FY2011 Request[b]	FY2011 Senate-Reported Bill	FY2011 Enacted
Congressional Budget Office	45,165	47,289	46,589	46,771
Architect of the Capitol	601,586	754,808	442,611[e]	585,782
Library of Congress, Including CRS	643,337	674,785	643,337	628,677
Congressional Research Service, Lib. of Cong.	*112,490*	*119,919*	*114,341*	*111,018*
Government Printing Office	147,461	166,560	147,461	135,067
Government Accountability Office	556,849	601,117	556,849	546,254
Open World Leadership Center[f]	12,000	14,000	12,000	11,377
Stennis Center for Public Service	430	430	430	429
Title II: General Provisions	0	0	0	0
Total Legislative Branch (Titles I and II)	4,668,987	5,131,569	3,136,193	4,543,914[g]

Source: The U.S. Budget, P.L. 111-68, P.L. 111-212, S.Rept. 111-294, and P.L. 112-10.

a. FY2010 funds are contained in P.L. 111-68 and P.L. 111-212.

b. The Capitol Police had originally requested $280.33 million for salaries. A budget amendment submitted on June 18, 2010, revised this level to $289.782 million. The column reflects the new total requested level. (http://www.whitehouse.gov/sites/default/files/omb/assets/budget_amendments/amendment_06_18_10.pdf).

c. Section 1903 states, "Of the unobligated amounts appropriated for fiscal year 2009 under the heading 'Senate,' $33,500,000 are rescinded."

d. This account was effective with the FY2003 Legislative Branch Appropriation Act. Previously, Capitol Police funds were contained under the joint items account.

e. This level does not include funding for the House Office Buildings, which is determined by the House.

f. The center was named the Russian Leadership Program prior to FY2004. Appropriations represent payments to the center's trust fund.

g. Does not include CBO scorekeeping adjustment.

Table 5. Senate Appropriations

(in thousands of dollars)

Accounts[a]	FY2010 Enacted	FY2011 Request	FY2011 Senate-Reported Bill	FY2011 Enacted[b]
Payments—Heirs of Deceased Members of Congress[c]	174	0	193	0
Expense Allowances and Representation	210	210	210	210
Salaries, Officers, and Employees	178,982	191,239	185,982	185,982
Office of Legislative Counsel	7,154	7,532	7,154	7,154
Office of Legal Counsel	1,544	1,570	1,544	1,544
Expense Allowances for Secretary of Senate, et al.	30	30	30	30

Accounts[a]	FY2010 Enacted	FY2011 Request	FY2011 Senate-Reported Bill	FY2011 Enacted[b]
Contingent Expenses (subtotal)	738,066	841,337	731,066	721,066
Inquiries and Investigations	140,500	164,569	140,500	140,500
Senate Intl. Narcotics Caucus	520	520	520	520
Secretary of the Senate[d]	2,000	34,000	6,200	6,200
Sergeant at Arms/Doorkeeper[e]	153,601	161,286	142,401	142,401
Miscellaneous Items	19,145	22,046	19,145	21,145
Senators' Official Personnel and Office Expense Account	422,000	458,616	422,000	410,000
Official Mail Costs	300	300	300	300
Total, Senate	**926,160**	**1,041,918**	**926,179**	**914,153**

Source: The U.S. Budget, P.L. 111-68, P.L. 111-212, S.Rept. 111-294, and P.L. 112-10. Total reflects rescission of 0.2%.

a. The Senate account contains seven appropriations headings, which are highlighted in bold.

b. Additionally, section 1903 states, "Of the unobligated amounts appropriated for fiscal year 2009 under the heading 'Senate,' $33,500,000 are rescinded."

c. A gratuity of $193,000 was included in P.L. 111-242 (Sept. 30, 2010, 124 Stat. 2613).

d. Office operations of the Office of the Secretary of the Senate are also funded under "Salaries, Officers, and Employees."

e. Office operations of the Office of Sergeant at Arms and Doorkeeper are also funded under "Salaries, Officers, and Employees."

Table 6. House of Representatives Appropriations

(in thousands of dollars)

Accounts[a]	FY2010 Enacted	FY2011 Request	FY2011 Enacted[b]
Payments—Heirs of Deceased Members of Congress[c]	0	0	0
Salaries and Expenses, Total	1,369,025	1,418,972	1,311,397
House Leadership Offices	25,881	26,171	24,861
Members' Representational Allowances	660,000	671,072	613,052
Committee Employees (subtotal)	171,178	189,358	163,032
Standing Committees, Special and Select, except Appropriations	139,878	157,058	134,549
Appropriations Committee	31,300	32,300	28,483

Accounts[a]	FY2010 Enacted	FY2011 Request	FY2011 Enacted[b]
Salaries, Officers, and Employees (subtotal)	198,301	206,413	193,326
Office of the Clerk	30,089	29,299	28,589
Office of the Sergeant at Arms	9,509	19,623	9,034
Office of Chief Administrative Officer	130,782	133,268	127,782
Office of Inspector General	5,045	5,212	5,045
Office for Emergency Planning, Preparedness, and Operations	4,445	—	4,445
Office of General Counsel	1,415	1,439	1,415
Office of the Chaplain	179	176	179
Office of the Parliamentarian	2,060	2,095	2,060
Office of the Law Revision Counsel	3,258	3,365	3,258
Office of the Legislative Counsel	8,814	9,052	8,814
Office of Interparliamentary Affairs	859	879	859
Other Authorized Employees: Technical Assistants, Office of Attending Physician	1,249	1,356	1,249
Office of Historian	597	649	597
Allowances and Expenses (subtotal)	313,665	325,958	317,125
Supplies, Materials, Administrative Costs and Federal Tort Claims	3,948	4,400	3,948
Official Mail for committees, leadership, administrative and legislative offices	201	201	201
Government Contributions	276,703	286,316	280,349
Business Continuity and Disaster Recovery Emergency Appropriations	25,098	26,312	22,912
Miscellaneous Items	760	793	760
Transition Activities	2,907	2,664	2,907
Wounded Warrior Program	—	2,500	2,000
Energy demonstration projects	2,500	500	2,500
Office of Congressional Ethics	1,548	2,272	1,548
House of Representatives, Total	**1,369,025**	**1,418,972**	**1,311,396**

Sources: The U.S. Budget, P.L. 111-68, P.L. 111-212, S.Rept. 111-294, and P.L. 112-10.

a. The appropriations bill contains two House accounts: (1) payments to widows and heirs of deceased Members of Congress and (2) salaries and expenses.

b. Account funding levels in this column reflect the 0.2% across-the-board rescission, in accordance with sec. 1119(a) of P.L. 112-10.

c. A gratuity was contained in the FY2010 supplemental appropriations act (P.L. 111-212, July 29, 2010, 124 Stat. 2319).

Table 7. Capitol Police Appropriations

(in thousands of dollars)

Accounts	FY2010 Enacted[a]	FY2011 Requested	FY2011 Senate-Reported Bill	FY2011 Enacted[b]
Salaries, Capitol Police	278,144	289,782c	277,289	277,133
General Expenses	63,130	95,694	58,146	63,004
Total, Capitol Police	341,274	385,476	335,435	340,137

Source: The U.S. Budget, P.L. 111-68, P.L. 111-212, S.Rept. 111-294, and P.L. 112-10.

a. This level includes the $12.96 million provided for salaries in P.L. 111-212.

b. Account funding levels in this column reflect the 0.2% across-the-board rescission, in accordance with sec. 1119(a) of P.L. 112-10. May not add due to rounding.

c. The Capitol Police had originally requested $280.33 million for salaries. A budget amendment submitted on June 18, 2010, revised this level to $289.782 million (http://www.whitehouse.gov/sites/default/files/omb/assets/budget_amendments/amendment_06_18_10.pdf).

Table 8. Architect of the Capitol Appropriations

(in thousands of dollars)

Accounts	FY2010 Enacted	FY2011 Requested	FY2011 Senate-Reported Bill[a]	FY2011 Enacted[b]
General administration	106,783	118,708	105,794	106,569
Capitol building	33,182	79,585	42,770	33,116
Capitol grounds	10,974	12,066	9,940	10,952
Senate office buildings	74,392	104,073	81,112	74,243
House of Representative buildings			___	
House office buildings	100,466	90,810	___	100,265
House Historic Buildings Revitalization Fund	50,000	50,000	___	49,900
Capitol power plant[c]	119,133	120,585	109,962	118,895

Accounts	FY2010 Enacted	FY2011 Requested	FY2011 Senate-Reported Bill[a]	FY2011 Enacted[b]
Library buildings and grounds	45,795	101,203	35,336	45,703
Capitol Police buildings and grounds	27,012	39,515	22,158	26,958
Botanic garden	11,390	14,348	12,768	11,367
Capitol Visitor Center	22,459	23,915	22,771	22,414
Rescission—Capitol Visitor Center				-14,600
Total, Architect of the Capitol	**601,586**	**754,808**	**442,611**	**585,782**

Source: The U.S. Budget, P.L. 111-68, P.L. 111-212, S.Rept. 111-294, and P.L. 112-10.

a. The House determines the level for the House office buildings.

b. Account funding levels in this column reflect the 0.2% across-the-board rescission, in accordance with sec. 1119(a) of P.L. 112-10.

c. Not including offsetting collections.

For Additional Reading

CRS Reports

CRS Report R40617, *Legislative Branch: FY2010 Appropriations*, by Ida A. Brudnick

CRS Report RL34490, *Legislative Branch: FY2009 Appropriations*, by Ida A. Brudnick

CRS Report RL34031, *Legislative Branch: FY2008 Appropriations*, by Ida A. Brudnick

Selected Websites

These sites contain information on the FY2011 and FY2010 legislative branch appropriations requests and legislation, and the appropriations process.

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

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

CRS Appropriations Products Guide
http://apps.crs.gov/cli/cli.aspx?PRDS_CLI_ITEM_ID=615&from=1&fromId=73

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

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

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

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