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House Committee Funding: Description of 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. Subsequent resolutions may change committee authorizations.

On March 17, 2017, the House adopted H.Res. 173, providing for the expenses of certain committees of the House of Representatives in the 115th Congress, by voice vote. The resolution authorized a total of $266.3 million for committee expenses, $132.7 million for the first session and $133.6 million for the second session.

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 1996. The second reviews House floor and committee action on committee funding in the 115th Congress. The final section summarizes the rules and regulations that structure the use of committee funds, and analyzes actual committee funding spending patterns during six previous years.

For specific authorization levels of individual committees, see CRS Report RL32794, *House Committee Funding Requests and Authorizations, 104th-115th Congresses*, by Matthew E. Glassman.

Contents

Introduction 1
House Committee Funding: Process 1
Authorization 2
Appropriations 2
Majority/Minority Funding 3
Authorization Trends 3
House Committee Funding: 115th Congress 4
House Floor Action 5
Funding 5
House Committee Funds: Usage 5
Regulations 5
Committee Funding in Practice 6
Methodology 6
Expenditures as a Percentage of Authorization 8
Spending by Budget Category 8

Figures

Figure 1. Aggregate Committee Funding Authorization 4
Figure 2. Expenditures by Category, as a Percentage of Committee Spending 9

Tables

Table 1. Percentage of Authorization Expended 8

Contacts

Author Information 9

Introduction

Funding for House committees (except for the Committee on Appropriations)[1] 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, 2017, the House adopted H.Res. 173, providing for the expenses of certain committees of the House of Representatives in the 115th Congress, by voice vote. The resolution authorized a total of $266.3 million for committee expenses, $132.7 million for the first session and $133.6 million for the second session.

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, among other House entities. 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, or comingled with any Members' Representational Allowance (MRA). 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 1996. The second reviews House floor and committee action on committee funding in the 115th Congress. The final section provides illustrations of the rules and regulations that structure the use of committee funds, and analyzes actual committee funding spending patterns during six previous years.

House Committee Funding: Process

Contemporary 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 continued or created at the beginning of a new Congress (except for the Committee on Appropriations) are authorized biennially pursuant to an omnibus committee funding resolution (known as the "primary expense resolution"), and funding is included in the Legislative Branch Appropriations bill.[5]

[1] P.L. 79-601, Legislative Reorganization Act of 1946, Section 202(b), 60 Stat. 834, grants the Committee on Appropriations authority to include in appropriations bills 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.

[5] The funds are contained under the heading "Committee Employees; Standing Committees, Special and Select." For example, see Division I, P.L. 114-133, 114th Congress.

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 committees[6] (except the Appropriations Committee) are required by regulations of the Committee on House Administration to submit an operating budget request for the two years of a Congress.[7] Each committee is also required to introduce a House resolution with its proposed authorization. These actions typically take place during late February, with committees typically approving their budgets at a committee organizing meeting.

The individual resolutions are referred to the Committee on House Administration, which may hold hearings on each committee's request. The chair and the ranking minority Member from each committee are typically 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 introduces the omnibus funding resolution for that two-year Congress, which, after its referral to the Committee on House Administration, serves as the legislative vehicle for committee markup. The resolution is typically reported out of committee without amendment.

The primary expense resolution is usually considered by the House in March of the first session of a Congress, and agreed to with little debate. 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.

Appropriations

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

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[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. The Select Committee on Energy Independence and Global Warming was established by H.Res. 202 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.

Consequently, the amount appropriated for committee funding places a ceiling on *total* committee expenditures, but not on any *individual* committee's expenditures (except the Committee on Appropriations). 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 both FY2015 and FY2016, committee funds were appropriated to remain available until December 31, 2016.[9]

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 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.

Authorization Trends

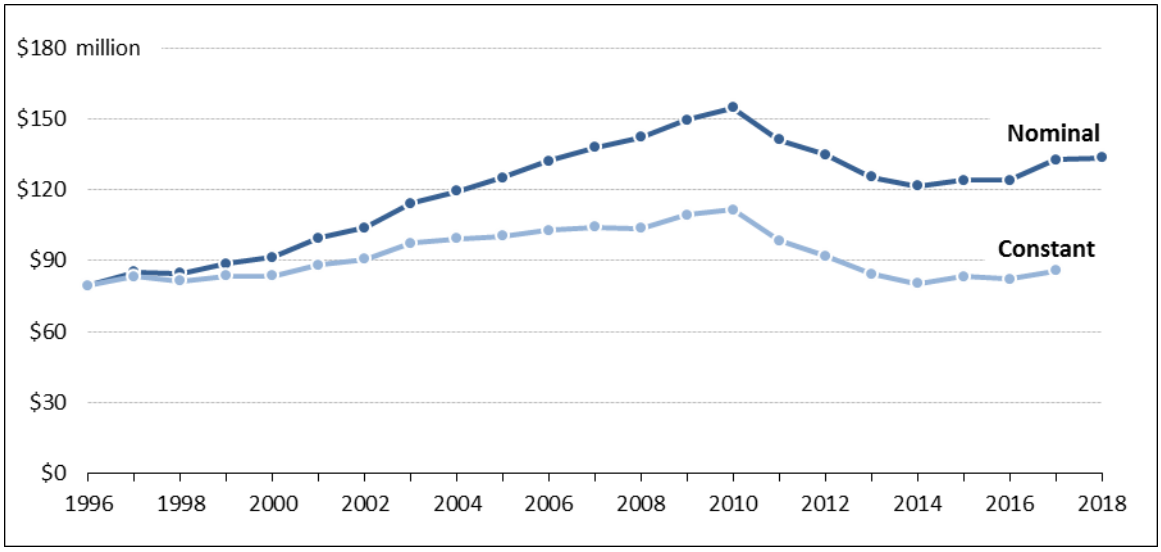
Figure 1 reports the aggregate committee funding authorization level from 1996 to 2018, in both nominal and real dollars. Since 1996, aggregate committee funding has increased by slightly more than 68%, from $79.4 million in 1996 to $133.6.0 million in 2018, for an average annual increase of 3.1%. In constant dollars, however, aggregate funding has increased only 8.0% between 1996 and 2017, for an annual average real increase of less than four-tenths of 1%.

[8] For example, during the 114th Congress, appropriations for committee funding were included in the FY2015 (October 1, 2014 – September 30, 2015), FY2016 (October 1, 2015 – September 30, 2016) bills, and FY2017 (October 1, 2016 – September 30, 2017) bill.

[9] P.L. 113-235. P.L. 114-113.

Figure 1. Aggregate Committee Funding Authorization

1996-2018, Nominal and Constant 1996 Dollars



Source: CRS calculations based upon primary expense resolutions. 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. Totals do not include funding for the Committee on Appropriations.

House Committee Funding: 115th Congress

The Committee on House Administration held a hearing on committee expense requests on February 15 and 16, 2017.[10] Chairs and ranking Members from each standing and select committee (except the Committee on Appropriations) testified on their budget requests.[11] Representative Gregg Harper, chair of the panel, indicated that the committee had "worked to strike the right balance" in providing funds for committees while remaining fiscally conscious of costs.[12]

During the hearing, the chairman and the ranking minority Member, Representative Robert Brady, reiterated the long-standing expectation that committee resources would reflect a distribution of two-thirds of the committee staff to the majority, and one-third to the minority, and a similar distribution of non-staff resources.[13] 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 resources.[14]

On March 7, 2017, H.Res. 173, providing for the expenses of certain committees of the House of Representatives in the 115th Congress, was introduced and referred to the Committee on House

[10] https://cha.house.gov/hearing/hearing-committee-funding-115th-congress.

[11] Ibid. Individual expense resolutions introduced by committee chairs in the 115th Congress in anticipation of the Committee on House Administration's development of the primary expense resolution were H.Res. 73, H.Res. 76, H.Res. 80, H.Res. 81, H.Res. 83, H.Res. 86, H.Res. 93, H.Res. 96, H.Res. 97, H.Res. 101, H.Res. 103, H.Res. 106, H.Res. 107, H.Res. 112, H.Res. 114, H.Res. 115, H.Res. 117, H.Res. 119, H.Res. 122, H.Res. 125, and H.Res. 126.

[12] House Committee on House Administration, *Committee Funding for the 115th Congress (Day One)*, available at https://www.youtube.com/watch?v=eEwASX-2uFo.

[13] Ibid.

[14] Ibid.

Administration. On March 8, 2017, the Committee on House Administration marked up H.Res. 173, which was reported to the House by voice vote.[15] Section 3(c) of the resolution stipulated that none of the funds for the second session may be made available after March 15, 2018, until the chairs or 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

On March 17, 2017, the House agreed to H.Res. 173 by voice vote. The resolution authorized a total of $266.3 million for committee expenses, $132.7 million for the first session and $133.6 million for the second session.[16]

Funding

Appropriations for House standing and select committees are typically included annually in the Legislative Branch Appropriations bill. In FY2017, $127.1 million was appropriated for House standing committees (except for the Appropriations Committee) in the Consolidated Appropriations Acts, 2017, to remain available until December 31, 2018.[17] In FY2016, $123.9 million was appropriated for House standing committees (except for the Appropriations Committee) in the Consolidated and Further Continuing Appropriations Acts, 2016, to remain available until December 31, 2016.[18]

House Committee Funds: Usage

Regulations[19]

In accordance with the regulations contained in the Committee Handbook,[20] "Committee funds are provided to pay ordinary and necessary expenses incurred by committee Members and employees in the United States."[21] 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."[22] All expenditures of a committee are subject to review by its 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."[23]

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[15] U.S. Congress, House Committee on House Administration, *Providing for the Expenses of Certain Committees of the House of Representatives in the 115th Congress*, report to accompany H.Res. 173, 115th Cong., 1st sess., March 15, 2017 (Washington: GPO, 2017).

[16] For specific authorization levels of individual committees, see CRS Report RL32794, *House Committee Funding Requests and Authorizations, 104th-115th Congresses*, by Matthew E. Glassman.

[17] P.L. 115-31.

[18] P.L. 114-113.

[19] This section provides an illustrative overview of committee funding regulations, and is not meant to be exhaustive.

[20] Available at http://cha.house.gov/handbooks/committee-handbook.

[21] *Committee Handbook*, Introduction.

[22] Ibid.

[23] *Committee Handbook*, General.

Committees may employ permanent staff, consultants, detailees, fellows, interns, temporary and shared employees, and volunteers.[24] The terms and conditions of employment for committee staff are determined by the committee chair.[25] Total staff ceilings for each committee are set by the Speaker.[26] Employees of a House committee are covered by the Congressional Accountability Act.[27]

Domestic travel including transportation, lodging, and meals (excluding alcohol) is reimbursable from committee funds.[28] Travel expenses may not be for personal or political campaign events and may not exceed 60 consecutive days.[29] 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.[30]

Committee Funding in Practice

The following sections provide an analysis of committee expenditures during six 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 have used their authorized funds.

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.[31] 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 six different years: 1997, 1998, 2003, 2004, 2011, and 2012. The universe of data includes over 3,300 observations.[32]

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 year for which funds were appropriated.[33] Since committee funds are typically appropriated to expire at

[24] *Committee Handbook* Committee Staff, Consultants, and Detailees.

[25] Ibid. In practice, most committee chairs delegate such decisions for minority staff to the ranking minority Member of the committee.

[26] *Committee Handbook*, Committee Staff, Consultants, and Detailees.

[27] Ibid.

[28] *Committee Handbook*, Domestic Travel.

[29] Ibid.

[30] *Committee Handbook*, Foreign Travel.

[31] 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 have been available on the House of Representatives website, at http://disbursements.house.gov.

[32] 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.

[33] 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-
(continued...)

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, 1998, 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.[34]

Categories of Spending

House spending is categorized by the standard budget object classes used for the federal government.[35] These include

- personnel compensation;
- personnel benefits;
- travel;
- rent, communications, and utilities;
- printing and reproduction;
- other services;
- supplies and materials;[36]
- transportation of things; and
- equipment.

The disbursement volumes also contain a category for franked mail.[37]

(...continued)

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. U.S. General Accounting Office, *Principles Of Federal Appropriations Law*, Third Edition, vol. I, January 2004, http://www.gao.gov/special.pubs/3rdEditionVol1.pdf, pp. 5-76 – 5-77.

[34] 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.

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

[36] This may include, for example, office supplies, bottled water for hearings, and publication/reference material.

[37] Certain expenses are not included in committee expenditures and are not reflected in the data in this section of the report. These expenses 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.

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 more than 8% of the committees spent less than 80% of their authorization; whereas 71% of the committees spent 90% or more of their authorization, and 50% 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
2011	3	6	6	3	2	20
2012	0	5	4	4	7	20
Total	**10 (8%)**	**24 (20%)**	**25 (21%)**	**31 (26%)**	**28 (24%)**	**118 (100%)**

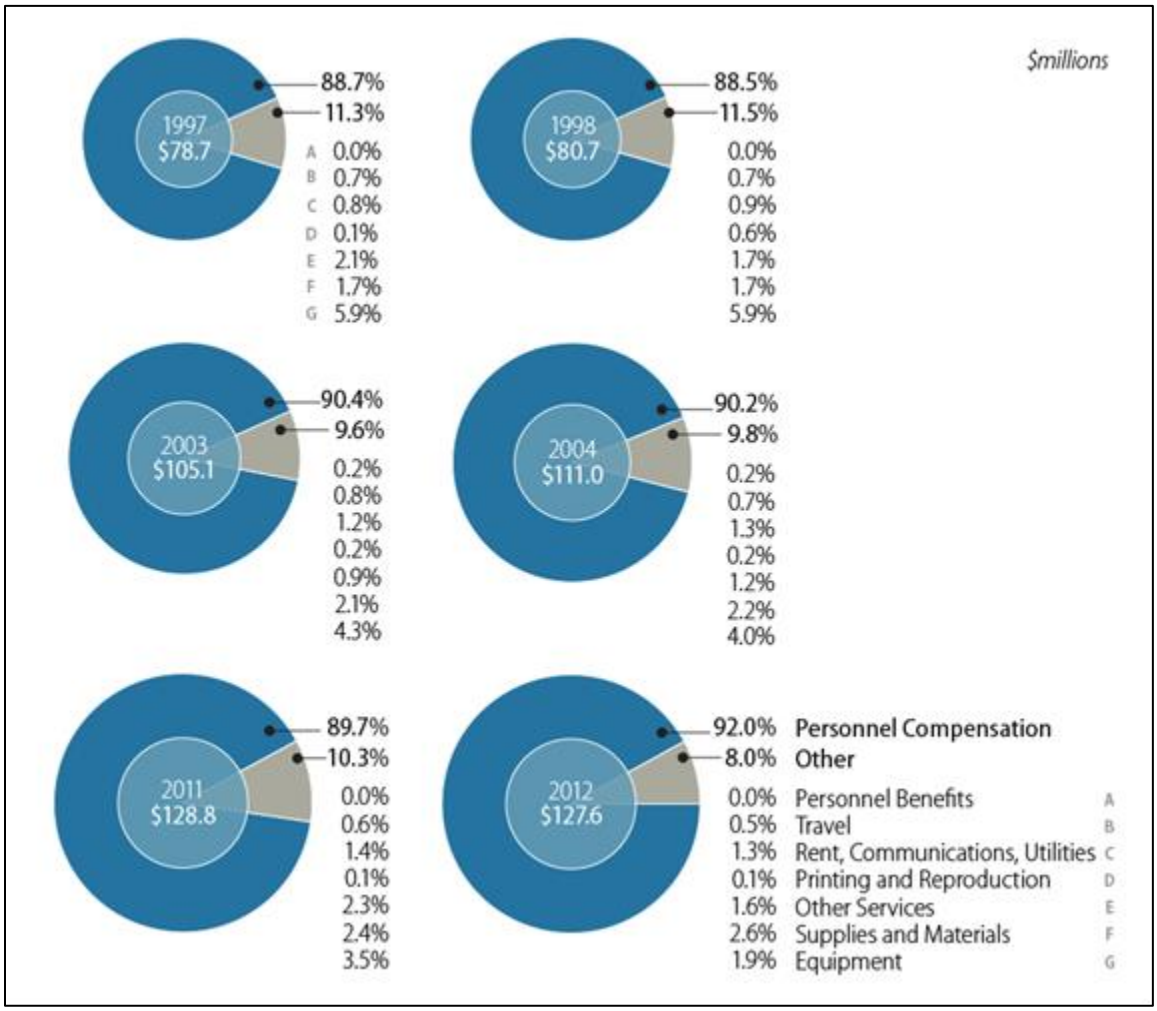
Source: CRS analysis of *Statement of Disbursements*.

Spending by Budget Category

Figure 2 shows that the largest category of spending in all six 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

Millions of current dollars (excluding Appropriations Committee)



Source: CRS calculations based on the *Statements of Disbursements* for 1997, 1998, 2003, 2004, 2011, and 2012.

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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