

PROVIDING AMOUNTS FOR THE EXPENSES OF CERTAIN  
COMMITTEES OF THE HOUSE OF REPRESENTATIVES IN  
THE ONE HUNDRED FIFTH CONGRESS

MARCH 17, 1997.—Referred to the House Calendar and ordered to be printed

Mr. THOMAS, from the Committee on House Oversight,  
submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H. Res. 91]

The Committee on House Oversight, to whom was referred the resolution (H. Res. 91) providing amounts for the expenses of certain committees of the House of Representatives in the One Hundred Fifth Congress, having considered the same, report favorably thereon with an amendment and recommend that the resolution as amended be agreed to.

The amendment is as follows:

Strike out all after the resolving clause and insert the following:

SECTION 1. COMMITTEE EXPENSES FOR THE ONE HUNDRED FIFTH CONGRESS.

(a) IN GENERAL.—With respect to the One Hundred Fifth Congress, there shall be paid out of the applicable accounts of the House of Representatives, in accordance with this primary expense resolution, not more than the amount specified in subsection (b) for the expenses (including the expenses of all staff salaries) of each committee named in that subsection.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, \$7,656,162; Committee on Banking and Financial Services, \$8,901,617; Committee on the Budget, \$9,940,000; Committee on Commerce, \$14,576,580; Committee on Education and the Workforce, \$10,125,113; Committee on Government Reform and Oversight, \$20,020,572; Committee on House Oversight, \$6,100,946; Permanent Select Committee on Intelligence, \$4,815,526; Committee on International Relations, \$10,368,358; Committee on the Judiciary, \$10,699,572; Committee on National Security, \$9,756,708; Committee on Resources, \$9,876,550; Committee on Rules, \$4,649,102; Committee on Science, \$8,677,830; Committee on Small Business, \$3,906,941; Committee on Standards of Official Conduct, \$2,456,300; Committee on Transportation and Infrastructure, \$12,483,000; Committee on Veterans' Affairs, \$4,344,160; and Committee on Ways and Means, \$11,066,841.

**SEC. 2. FIRST SESSION LIMITATIONS.**

(a) **IN GENERAL.**—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 1997, and ending immediately before noon on January 3, 1998.

(b) **COMMITTEES AND AMOUNTS.**—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, \$3,791,039; Committee on Banking and Financial Services, \$4,363,817; Committee on the Budget, \$4,970,000; Committee on Commerce, \$7,122,959; Committee on Education and the Workforce, \$5,002,127; Committee on Government Reform and Oversight, \$11,702,573; Committee on House Oversight, \$3,093,200; Permanent Select Committee on Intelligence, \$2,358,040; Committee on International Relations, \$5,145,358; Committee on the Judiciary, \$5,054,800; Committee on National Security, \$4,729,454; Committee on Resources, \$4,800,014; Committee on Rules, \$2,306,407; Committee on Science, \$4,263,672; Committee on Small Business, \$1,936,471; Committee on Standards of Official Conduct, \$1,276,300; Committee on Transportation and Infrastructure, \$6,141,500; Committee on Veterans' Affairs, \$2,084,368; and Committee on Ways and Means, \$5,387,934.

**SEC. 3. SECOND SESSION LIMITATIONS.**

(a) **IN GENERAL.**—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 1998, and ending immediately before noon on January 3, 1999.

(b) **COMMITTEES AND AMOUNTS.**—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, \$3,865,123; Committee on Banking and Financial Services, \$4,537,800; Committee on the Budget, \$4,970,000; Committee on Commerce, \$7,453,621; Committee on Education and the Workforce, \$5,122,986; Committee on Government Reform and Oversight, \$8,317,999; Committee on House Oversight, \$3,007,746; Permanent Select Committee on Intelligence, \$2,457,486; Committee on International Relations, \$5,223,000; Committee on the Judiciary, \$5,644,772; Committee on National Security, \$5,027,254; Committee on Resources, \$5,076,536; Committee on Rules, \$2,342,695; Committee on Science, \$4,414,158; Committee on Small Business, \$1,970,470; Committee on Standards of Official Conduct, \$1,180,000; Committee on Transportation and Infrastructure, \$6,341,500; Committee on Veterans' Affairs, \$2,259,792; and Committee on Ways and Means, \$5,678,907.

**SEC. 4. VOUCHERS.**

Payments under this resolution shall be made on vouchers authorized by the committee involved, signed by the chairman of such committee, and approved in the manner directed by the Committee on House Oversight.

**SEC. 5. REGULATIONS.**

Amounts made available under this resolution shall be expended in accordance with regulations prescribed by the Committee on House Oversight.

**SEC. 6. RESERVE FUND FOR UNANTICIPATED EXPENSES.**

There is hereby established a reserve fund of \$7,900,000 for unanticipated expenses of committees for the One Hundred Fifth Congress. Amounts in the fund shall be paid to a committee pursuant to an allocation approved by the Committee on House Oversight.

**SEC. 7. ADJUSTMENT AUTHORITY.**

The Committee on House Oversight shall have authority to make adjustments in amounts under section 1, if necessary to comply with an order of the President issued under section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 or to conform to any reduction in appropriations for the purposes of such section 1.

**COMMITTEE ACTION**

On March 13, 1997, by voice vote, a quorum being present, the Committee agreed to a motion to report the resolution favorably to the House, as amended.

## COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 2(l)(3)(A) of rule XI of the Rules of the House of Representatives, the Committee states that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

## STATEMENT ON BUDGET AUTHORITY AND RELATED ITEMS

The resolution does not provide new budget authority, new spending authority, new credit authority, or an increase or decrease in revenues or tax expenditures, and a statement under clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a)(1) of the Congressional Budget Act of 1974 is not required.

## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives, the Committee states, with respect to the resolution, that the Director of the Congressional Budget Office did not submit a cost estimate and comparison under section 403 of the Congressional Budget Act of 1974.

## OVERSIGHT FINDINGS OF COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

The Committee states, with respect to clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, that the Committee on Government Reform and Oversight did not submit findings or recommendations based on investigations under clause 4(c)(2) of rule X of the Rules of the House of Representatives.

## ROLLCALL VOTES

In compliance with clause 2(l)(2)(B) of rule XI of the Rules of the House of Representatives, with respect to each rollcall vote on a motion to report the resolution and on any amendment offered to the resolution, the total number of votes cast for and against, and the names of those Members voting for and against, are as follows:

*H. Res. 91, Rollcall No. 1*

Motion by Mr. Ney. Subject: Motion to agree to the amendment in the nature of a substitute offered by Mr. Thomas.

| Member               | Aye   | Nay   | Present |
|----------------------|-------|-------|---------|
| Mr. Thomas .....     | X     | ..... | .....   |
| Mr. Ney .....        | X     | ..... | .....   |
| Mr. Boehner .....    | X     | ..... | .....   |
| Mr. Ehlers .....     | X     | ..... | .....   |
| Ms. Granger .....    | ..... | ..... | .....   |
| Mr. Gejdenson .....  | ..... | X     | .....   |
| Mr. Hoyer .....      | ..... | X     | .....   |
| Ms. Kilpatrick ..... | ..... | X     | .....   |
| Total .....          | 4     | 3     | .....   |

## GENERAL DISCUSSION

*Voice vote*

The Committee by voice vote, with a quorum present, on March 13, 1997, agreed to report H. Res. 91, as amended, favorably to the House.

*General discussion*

H. Res. 91, as amended, authorizes \$178,321,878 for committee salaries and expenses for all standing committees of the House of Representatives (except the Committee on Appropriations), the Permanent Select Committee on Intelligence and the reserve fund for the 105th Congress. The amendment in the nature of a substitute offered by the majority, and passed by the Committee, was the only amendment offered to the resolution. The minority offered no amendments to the funding resolution. In a separate Committee resolution, approved on March 12, 1997, the Committee on House Oversight established franked mail allocations for these committees.

Significant changes were enacted at the beginning of the 104th Congress which affected the structure and jurisdiction of Committees. In the 104th Congress, three standing committees and 32 subcommittees were abolished. Committee staff was reduced by 33% from the 103rd Congress levels and committee funding authorization was reduced by a total of 30%, \$67,003,290. Additionally, committees became directly responsible and accountable for costs previously paid from funds not specifically authorized through a committee funding resolution. These costs included, scanning and graphics, local telephone line charges, long-distance telephone call charges, office supplies mail. Prior to the 104th Congress, these costs were paid from other House funds, separate from the investigative and statutory funding procedures. The 30% reduction in funding was achieved even after mandating full accountability by committees for these costs.

The 104th Congress was one of the most prolific and substantive Congresses in history. According to statistics compiled by the Committee on Rules, the House spent 2,445 hours in session deliberating on and passing 333 bills into law, including landmark legislation such as welfare reform, a balanced budget and health care reform. This was accomplished with fewer committee staff and significantly fewer financial resources than was authorized in the prior Congress.

*Requests*

The sum total of all budget requests for the 105th Congress was \$180,129,315. The amount authorized for the basic operations of committees is \$170,421,878, including \$3.8 million for a special investigation by the Committee on Government Reform and Oversight. The authorization for the basic operations of committees is reduced by \$9,707,437, 5.4%, from the sum of all amounts requested by committees.

An additional \$7,900,000 is included in the resolution, as authorization held in reserve. The "Reserve Fund" is for future allocation

by the Committee on House Oversight for unanticipated committee activities during the 105th Congress.

| Committee  | 105th request <sup>1</sup> | H. Res. 91  | 1997        | 1998        |
|--|----------------------------|-------------|-------------|-------------|
| Agriculture .....                                | \$7,792,162                | \$7,656,162 | \$3,791,039 | \$3,865,123 |
| Banking and Financial Services .....             | 9,414,785                  | 8,901,617   | 4,363,817   | 4,537,800   |
| Budget .....                                     | 9,940,000                  | 9,940,000   | 4,970,000   | 4,970,000   |
| Commerce .....                                   | 15,191,538                 | 14,576,580  | 7,122,959   | 7,453,621   |
| Education and the Workforce .....                | 10,569,157                 | 10,125,113  | 5,002,127   | 5,122,986   |
| Government Reform and Oversight .....            | 20,020,572                 | 20,020,572  | 11,702,573  | 8,317,999   |
| House Oversight .....                            | 6,160,946                  | 6,100,946   | 3,093,200   | 3,007,746   |
| Intelligence .....                               | 5,040,526                  | 4,815,526   | 2,358,040   | 2,457,486   |
| International Relations .....                    | 11,143,892                 | 10,368,358  | 5,145,358   | 5,223,000   |
| Judiciary .....                                  | 12,037,046                 | 10,699,572  | 5,054,800   | 5,644,772   |
| National Security .....                          | 10,668,640                 | 9,756,708   | 4,729,454   | 5,027,254   |
| Resources .....                                  | 10,418,537                 | 9,876,550   | 4,800,014   | 5,076,536   |
| Rules .....                                      | 4,649,102                  | 4,649,102   | 2,306,407   | 2,342,695   |
| Science .....                                    | 9,128,727                  | 8,677,830   | 4,263,672   | 4,414,158   |
| Small Business .....                             | 4,339,817                  | 3,906,941   | 1,936,471   | 1,970,470   |
| Standards of Official Conduct <sup>2</sup> ..... | 2,439,300                  | 2,456,300   | 1,276,300   | 1,180,000   |
| Transportation and Infrastructure .....          | 14,096,282                 | 12,483,000  | 6,141,500   | 6,341,500   |
| Veterans' Affairs .....                          | 5,744,757                  | 4,344,160   | 2,084,368   | 2,259,792   |
| Ways and Means .....                             | 11,333,529                 | 11,066,841  | 5,387,934   | 5,678,907   |
| Sub-total .....                                  | 180,129,315                | 170,421,878 | 85,530,033  | 84,891,845  |
| Reserve Fund .....                               | 7,900,000                  | 7,900,000   |             |             |
| Total .....                                      | 188,029,315                | 178,321,878 | 85,530,033  | 84,891,845  |

<sup>1</sup> Amount requested in budget request submitted to Committee on House Oversight.

<sup>2</sup> H. Res. 91 includes \$60,000 for Ethics Reform Task Force expenses.

### *Committee funding process*

The 105th Congress is the second funding cycle under the biennial funding process instituted in the 104th Congress. At the beginning of the 104th Congress House Rules were revised, changing the Committee funding process to a biennial cycle and abolishing the bifurcation of funding under statutory and investigative accounts.

Committee Chairmen in the 104th Congress achieved the ambitious goals established by the new Republican majority, including those of fiscal conservatism and legislative proclivity. The biennial committee funding process has proven successful in at least two respects. First, every House committee chairman was a new chairman, and was asked to present a two-year budget and to predict the needs and the legislative goals of the committees over which they had only recently taken control. 104th Congress Chairmen did plan realistic budgets which funded the needs of their committees, simultaneously reducing budgets by an average of 30% from their predecessors. Second, a two-year budget cycle saves time and resources for all committees because the process is undertaken only once per Congress, rather than twice as was done previously. The biennial funding process facilitates long term planning and cuts in half the time and resources dedicated to making, defending and approving budget requests.

At the outset of the 104th Congress, the Committee on House Oversight adopted a regulation which required committees to reimburse legislative and executive branch agencies or departments for any detailees working for the committee. The regulation has been revised for the 105th Congress. Committees must continue to reimburse for detailees from the Government Printing Office. Commit-

tees will not, however, be required by the Committee on House Oversight to reimburse other agencies for details, so long as the number of details at any one committee does not exceed 10% of their staff ceiling. Agencies must be reimbursed for details above this 10% limit. While details often provide special expertise not available on committee staff, or expertise not required on a permanent basis, this policy is intended to continue to ensure prudent use of other agencies resources and to continue a full-accountability model for committee funding.

*Funding for the Committee on Government Reform and Oversight*

The Committee on Government Reform and Oversight has requested and been allocated a total 48% increase over the 104th Congress authorization. The Committee on Government Reform and Oversight was established in the 104th Congress, by combining the jurisdictions of three former committees: The Committee on Government Operations, The Committee on the District of Columbia and The Post Office and Civil Service Committee (exclusive of its jurisdiction over the Commission on Congressional Mailing Standards). When the former three committees were combined into one entity, the Committee on Government Reform and Oversight, staff levels and funding were reduced substantially:

[Dollars in millions]

|   | 103d   | Per-<br>cent | 104th            | Per-<br>cent | 105th            | Per-<br>cent |
|---|--------|--------------|------------------|--------------|------------------|--------------|
| Government Operations Committee .....             | \$11.8 | .....        | ( <sup>1</sup> ) | .....        | ( <sup>1</sup> ) | .....        |
| District of Columbia Committee .....              | 5.1    | .....        | .....            | .....        | .....            | .....        |
| Post Office & Civil Service Committee .....       | 9.7    | .....        | .....            | .....        | .....            | .....        |
| Govt. Reform Committee (equivalent funding) ..... | 26.6   | .....        | 13.5             | .....        | 16.2             | 61           |
| Special Investigation .....                       | .....  | .....        | .....            | .....        | 3.8              | .....        |
| Total Authorization .....                         | 26.6   | 100          | 13.5             | 51           | 20.0             | 75           |

<sup>1</sup> Not applicable.

In the 104th Congress, the Government Reform and Oversight Committee maintained a heavy workload, conducted numerous investigations and performed essential and unexpected oversight functions despite the decrease in staff and resources. The Government Reform Committee anticipates a marked increase in their workload for the 105th Congress, and has received an authorization increase of 20% over two years for its basic functions. Even after this increase in authorization for its basic operations, the Committee on Government Reform and Oversight is funded at 39% less than its 103rd Congress predecessors.

Included in the 105th Congress authorization for the Government Reform and Oversight Committee is \$3.8 million available in 1997 for a special investigation into alleged illegal executive branch activities related to the 1996 federal campaigns.

*Changes to the Rules of the House to accommodate funding for matters that are unanticipated during the biennial funding process*

House rule XI, clause 5(a) allows for a reserve fund to be included in the primary expense resolution reported by the Committee on House Oversight. The total amount allocated to the reserve

fund in the 105th Congress is \$7,900,000. Amounts from this fund will be authorized to a specific standing committee or to the Permanent Select Committee on Intelligence only after approval by the Committee on House Oversight. If no requests are received or no authorization is approved, the funds will not be spent. Funds allocated from the Reserve Fund are to be for unanticipated matters that arise within a committee's jurisdiction. Historically, during a Congress new matters and issues come to the attention of the House which require study and review. Under a two-year funding cycle, there is a significantly greater likelihood that Committees cannot accurately anticipate all matters which may arise in their jurisdiction. The reserve fund is therefore established as a prudent method for funding such unexpected matters.

#### *Minority resources*

The majority is proud of the progress that has been made by its committees towards the goal of allocating one-third of each committee's resources to the minority. We remain committed to this goal. In 1990, the Democratic Majority, pursuant to Democratic Caucus Rule 34(F), adopted a policy that the committee caucuses shall not be required to provide for more than 20 percent of the total funding for minority investigative staff for the full committee and each subcommittee of the committee. In 1994, at the end of the 103rd Congress, only four committees (exclusive of those that share bipartisan and nonpartisan staff) allowed one-third of their resources, staff and funds, to the minority party.

When the new majority assumed control in the 104th Congress, the number of committee staff allocated to the minority party significantly improved:

|   | 102d |      | 103d |      | 104th<br>1995<br>&<br>1996 | 105th<br>1997<br>&<br>1998 |
|---|------|------|------|------|----------------------------|----------------------------|
|   | 1991 | 1992 | 1993 | 1994 |                            |                            |
| Percent of Committees providing 33% of staff slots <sup>1</sup> to the minority ... | 6    | 13   | 0    | 6    | 44                         | 47                         |
| Number of Committees providing:   |      |      |      |      |                            |                            |
| 33% or more .....   | 1    | 2    | 0    | 1    | 7                          | 7                          |
| 25% to 32% .....  | 3    | 2    | 5    | 5    | 6                          | 7                          |
| 20% to 24% .....  | 5    | 1    | 3    | 2    | 3                          | 1                          |
| Less than 20% .....   | 7    | 11   | 8    | 8    | 0                          | 0                          |

<sup>1</sup> For the 102d and 103d Congress the calculation is from the investigative staff.

For the 105th Congress, there has been no erosion of the resources provided to the minority party, and additional progress has been made. Of those seventeen committees that have partisan staff, nine committees have achieved the goal of one-third allocation of the total budget or staff salaries to the minority. Of the eight remaining committees, three have increased their allocation to the minority party for the 105th Congress. The situation has improved significantly and progress will be monitored and encouraged.

## MINORITY VIEWS

Many of the chairman who presented their committees' budgets have done a commendable job of achieving a balance between carrying out the committee's responsibilities and seeking increased resources to ensure a fair allocation of both staff positions and financial resources to the Minority. For example, Chairman Thomas of the Committee on House Oversight demonstrated his commitment to the House-adopted objective of providing at least one-third of the staff positions and resources to the Minority. In his budget presentation, Chairman Thomas allocated to the Minority one-third of the positions under the Committee's Speaker-established staff ceiling, one-third of the amount approved by the House for committee operations (one half in the case of contested elections), and control of those resources by the Minority. Several other committee chairmen provided a welcome allocation to the Minority of positions and resources, and we would be remiss if we failed to recognize the progress such committees have made. Notwithstanding the progress on such committees, actions by certain other committees deserve no such credit. In particular, the Government Reform and oversight Committee demands discussion.

### GOVERNMENT REFORM AND OVERSIGHT COMMITTEE

There is absolutely no excuse for the manner in which the Minority of the Government Reform and oversight Committee has been treated. That Committee's initial and supplemental funding requests—a 48% increase over the last Congress—were granted in toto. Yet, despite the sensitive nature of this Committee's responsibilities, its Chair has arbitrarily proposed a totally inadequate and unfair allocation of resources to the Minority.

The Government Reform and Oversight Committee submitted its budget without prior consultation with the Minority. This Committee has indicated that in the best case it will give the Minority only between 15% and 25% of the total resources. This Committee has been granted up to 41 new positions, including detailees, and has thus far earmarked only 7 to the Minority. This Committee has proposed a blatantly partisan investigation, and its Chair has unilaterally issued over 30 subpoenas without Committee approval. Without consultation with the Minority, this Committee's Chair established a document protocol which is contrary to the Rules of the House of Representatives. It purports to authorize the Chairman, without consulting his Committee, to publicly disclose any subpoenaed document. This Committee's nearly \$12 million budget for the First Session of the 105th Congress focuses exclusively upon an investigation of Democrats, the Democratic Party, and White House campaign contribution issues, while ignoring valid parallel Republican campaign contribution issues, such as the use of Congressional buildings for Republican fundraising activities. This Com-

mittee cavalier disregard of elemental notions of fairness should not be rewarded with a nearly \$12 million budget for 1997 alone.

Incredibly, to compound their unjust distribution of money, staff, and resources, the Republicans are creating a \$7.9 million slush fund, to be spent by the Republican Majority of the Committee on House Oversight as it sees fit. Without a vote of the House, these monies could be added to the already excessive budget the Government Reform and Oversight Committee has to conduct its highly partisan investigation. The reason for creating the slush fund, according to the Republicans during markup, was to eliminate the need for supplemental funding resolutions.

The net effect of creating the slush fund, however, is to deny the American taxpayer the opportunity to hear the requests of committees seeking to tap into that \$7.9 million slush fund. Under current House Rules, any committee seeking additional funding is required to have its request debated on the House floor, and voted on by every House member, a process providing direct accountability to the Members and the public. But the new slush fund language provides the Committee on House Oversight, by simple majority vote, with authority to spend \$7.9 million. This is on a committee with a ratio understood to be six Republicans to three democrats. And of course, removing spending decisions from the bright lights of House floor debate also removes an important element of accountability to the taxpayer.

#### BIPARTISANSHIP IN QUESTION

To the extent that Republicans profess a desire for bipartisan administration of the House, their intentions must be manifested through their actions. If the scope of the Government Reform and Oversight Committee's investigation remains as specified by the Chairman in his budget presentation, oversight report, and supplemental request, then it is clear that Republican partisanship is governing the funding and investigative processes at issue here, and that Republicans have rejected objectivity and fairness. With the scope of the Government Reform and Oversight Committee's investigation so clearly a partisan one, Republicans are adding insult to injury by cutting the Minority out of any effective or meaningful participation in the investigation by providing inadequate investigative funding by any measure. The Democrats want the truth, but the partisan nature of this investigation calls directly into question the likelihood that a fair and balanced conclusion will be reached, or that the American public will ever be informed of the range of campaign contribution issues which need to be addressed now by legislation, including those attendant to Republican fundraising.

Republicans have dedicated more money to this investigation than any other such investigation in recent history, allowed the Chairman to act beyond his authority, disarmed the Minority through a devastating restriction on resources, and targeted the Democratic Party and White House. We believe these partisan decisions stem from the continuing Republican desire to avoid any meaningful campaign finance reform legislation in this Congress. Neither we nor the American people will stand by idly while the

Republicans use this uncontrolled investigation to justify their delay.

We cannot support the funding resolution in its present form.

CAROLYN C. KILPATRICK.

STENY H. HOYER.

SAN GEJDENSON.

