113TH CONGRESS 1st Session } HOUSE OF REPRESENTATIVES { REPORT 113–20

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

MARCH 18, 2013.—Referred to the House Calendar and ordered to be printed

Mrs. MILLER of Michigan, from the Committee on House Administration, submitted the following

REPORT

together with

DISSENTING VIEWS

[To accompany H. Res. 115]

The Committee on House Administration, to whom was referred the resolution (H. Res. 115) providing for the expenses of certain committees of the House of Representatives in the One Hundred Thirteenth Congress, having considered the same, report favorably thereon without amendment and recommend that the resolution be agreed to.

BACKGROUND AND NEED FOR THE RESOLUTION

Pursuant to House Rule X, clause 6, the Committee on House Administration (hereinafter referred to as the "Committee") 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. H. Res. 115 is the primary expense resolution reported by the Committee on House Administration for the 113th Congress.

On March 14, 2013, by voice vote, the Committee agreed to a motion to report H. Res. 115 favorably to the House without amendment. The resolution authorizes the aggregate amount of funding for standing and select committees for the 113th Congress, and also includes a provision to require a review of the use of committee funds at the beginning of the second session of the 113th Congress.

29–008

GENERAL DISCUSSION

During the first three months of each new Congress, House Rule X, clause 7, authorizes House committees to continue operations based on their funding authorizations from the preceding session. This continuing authorization allows committees to organize, adopt legislative and oversight agendas, and seek spending authority through the adoption of a primary expense resolution by the House.

The funding process begins after a House standing or select committee determines its biennial funding needs, and introduces a House resolution seeking those funds. Under House Rule X, clause 6, all funding resolutions, which are referred to as primary expense resolutions, are referred to the Committee on House Administration. Since this funding process merely authorizes the expenditure of funds already provided (or to be provided) in appropriations acts, the funding measure takes the form of a simple House resolution, thus freeing it from the requirement of Senate or presidential approval. Working with whatever funds are or will be made available through appropriations acts, and after requesting and reviewing committee budget submissions, the Committee recommends an appropriate allocation of the available funds.

113th Congress Proceedings

To gather the information necessary to create the omnibus primary expense resolution, the Committee required the standing and select committees to submit estimates for their expected expenses for both sessions of the 113th Congress. When submitting budget requests, committees were asked to provide estimates for their expected expenses for the 113th Congress. The Committee asked that committees provide line item estimates for the following expenses: personnel compensation (including salaries and lump sum payments), overtime, travel, communications, and printing and reproduction costs.

The Committee also requested that committees estimate their expenses for other services, including consultant contracts, detailees from executive and other agencies, training, representational expenses, and other services. Finally, the Committee requested budget estimates for the costs of supplies, materials, and equipment. The committees were asked to submit budget numbers for an 11% cut from their 2012 authorized levels and to also provide a number that was 5% more than the amount of money each committee actually spent in 2012. These numbers provided the Committee with a range of budget scenarios to consider.

To further gather the information necessary to create the omnibus primary expense resolution, the Committee convened a hearing to provide the Chairs and Ranking Members of the standing and select committees an opportunity to present and share their views on their respective budget requests for the 113th Congress.

During the hearing, Members of the Committee asked the Chairs and Ranking Members if these smaller budget requests would impact their ability to conduct effective oversight or pursue their legislative goals. Some Chairs and Ranking Members did state that their ability to provide oversight over the Executive Branch agencies in their jurisdiction would be impaired if further cuts were undertaken. However, the Chairs and Ranking Members acknowledged the fiscal reality of a lower level of appropriations under the sequester, and did pledge their best efforts at accomplishing their legislative and oversight missions with reduced levels of funding.

Members of the Committee also asked the Chairs and Ranking Members how they were managing and will manage their resources with equity and prudence. Since the 104th Congress, House majority leadership and the Chair and Ranking Member of the Committee have encouraged the Chairs of the standing and select committees to provide the minority with one-third of committee staff and/or resources authorized in the primary expense resolutions. During the hearings, the Committee sought to ensure that the minority in each committee was treated equitably in the funding process. Each Ranking Member was asked if he or she was allocated the traditional one-third share of committee staff positions and/or committee resources, as determined by each committee. These exchanges indicated that all of the committees appear to be in compliance with the traditional "two-thirds/one-third" distribution of funds among the majority and minority.

After the hearing, the Committee used the budget submissions and Member testimony to create an omnibus expense resolution, introduced by Chairman Miller, to authorize funding for all of the committees. The resolution includes a provision to require the Chairs and Ranking Members to return to the Committee after one year for an additional oversight hearing to review the use of funds from the first session. These proceedings will be open to the public, and will provide an opportunity to discover how effectively and efficiently funding allocations are being used. The provision is intended to promote accountability, transparency, and oversight of each committee's resources.

In reporting out this resolution, the committee is recommending to the House an authorization to expend approximately $120,399,181 in the first session, and the same amount in the second session.

SUMMARY OF THE RESOLUTION

Section 1 adjusts the aggregate amount paid out of the applicable accounts of the House of Representatives with respect to the 113th Congress for the expenses (including the expense of all staff salaries) of the select and standing committees of the House (except the Committee on Appropriations).

Section 2 adjusts the amount provided for the expenses of each standing and select committee of the House (except the Committee on Appropriations) for expenses incurred during the first session of the 113th Congress (the period beginning at noon on January 3, 2013, and ending immediately before noon on January 3, 2014).

Section 3 adjusts the amount provided for the expenses of each standing and select committee of the House (except the Committee on Appropriations) for expenses incurred during the first session of the 113th Congress (the period beginning at noon on January 3, 2014, and ending immediately before noon on January 3, 2015).

The amounts for each committee contained in the primary expense resolution are as follows:

Committees	1st session	2nd session	Total
Agriculture	$5,036,187	$5,036,187	$10,072,374
Armed Services	6,563,535	6,563,535	13,127,070
Budget	5,138,824	5,138,824	10,277,648
Education and the Workforce	6,952,763	6,952,763	13,905,526
Energy and Commerce	9,520,516	9,520,516	19,041,032
Ethics	3,020,459	3,020,459	6,040,918
Financial Services	7,394,482	7,394,482	14,788,964
Foreign Affairs	7,388,112	7,388,112	14,776,224
Homeland Security	7,033,588	7,033,588	14,067,176
House Administration	4,600,560	4,600,560	9,201,120
Select Committee on Intelligence	4,389,758	4,389,758	8,779,516
Judiciary	7,077,016	7,077,016	14,154,032
Natural Resources	6,555,829	6,555,829	13,111,658
Oversight and Government Reform	8,940,437	8,940,437	17,880,874
Rules	2,857,408	2,857,408	5,714,816
Science, Space, and Technology	5,282,755	5,282,755	10,565,510
Small Business	2,992,688	2,992,688	5,985,376
Transportation and Infrastructure	8,182,307	8,182,307	16,364,614
Veterans' Affairs	3,048,546	3,048,546	6,097,092
Ways and Means	8,423,411	8,423,411	16,846,822

COMMITTEE CONSIDERATION OF H. RES. 115

INTRODUCTION AND REFERRAL

On March 13, 2013, Representative Candice S. Miller of Michigan introduced House Resolution 115, which was referred to the Committee on House Administration.

HEARINGS

On March 5-6, 2013, the Committee held an oversight hearing to review the budgets for all the standing and select committees (except the Committee on Appropriations) in 2013, and to review budget planning for 2014. The Chairs and Ranking Members of the select and standing committees provided testimony on their respective use of committee funds.

COMMITTEE CONSIDERATION

On March 14, 2013, the Committee met to mark up House Resolution 115. The Committee ordered the resolution reported favorably without amendment to the House by voice vote, with a quorum present.

COMMITTEE RECORD VOTES

In compliance with House Rule XIII, clause 3(b), with respect to each record vote on an amendment or motion to report, together with the names of those voting for and against, the Committee states that there were no recorded votes during the consideration of this resolution.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

In compliance with House Rule XIII, clause 3(c)(1), the Committee states that the findings and recommendations of the Committee, based on oversight activities under House Rule X, clause 2(b)(1), are incorporated into the general discussion section of this report.

STATEMENT OF 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 House Rule XIII, clause 3(c)(2), and section 308(a)(1) of the Congressional Budget Act of 1974 is not required.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with House Rule XIII, clause 3(c)(3), the Committee states, with respect to House Resolution 115, that the Director of the Congressional Budget Office did not submit a cost estimate and comparison under section 402 of the Congressional Budget Act of 1974.

PERFORMANCE GOALS AND OBJECTIVES

In compliance with House Rule XIII, clause 3(c)(4), the Committee states that the general discussion section of this report includes a statement of the general performance goals and objectives, including outcome-related goals and objectives, for which House Resolution 115 authorizes funding.

DISSENTING VIEWS

Committee Democrats believe that we should look for all opportunities to alleviate the impact of the automatic sequestration cuts. Unfortunately House Resolution 115 fails in this regard and as a result I must oppose this resolution.

We imposed the equivalent of a sequester on House committees for the last two years, first by imposing a 5% budget reduction in the first session of the 112th Congress with House Resolution 147, and then an additional reduction of an average of 6.4% during the second session with House Resolution 496. To continue piling on with additional cuts without looking at ways to minimize damage to the functionality of House committees to operate is irresponsible.

Testimony at our oversight hearing by both chairs and ranking members confirmed the impact that the last two years of defunding have imposed on committees. There have been significant hardships in paying the salaries of staff, conducting oversight hearings, items that are essential in conducting the people's business.

Committee Democrats argued for a more balanced approach, freezing each committee's authorization for this year and next year at last year's level. Every committee knows that it can work with these figures and fulfill its responsibilities to the House as each committee has been living with the current numbers since 2012 This approach of a three year freeze was offered by Committee Democrats during mark-up and unfortunately was defeated. The Democratic substitute would not only have frozen funding but would have added a requirement for committees to report back at the end of the year on how much the agencies had saved.

Not only was this more commonsense approach and more effective means at reporting cost savings rejected but allowing a freeze on at least one of the committees that will be looking at a more vigorous workload was also rejected. Rep. Lofrgren offered an amendment to freeze Judiciary committee funding as it faces comprehensive immigration reform, gun violence prevention, regulatory reform, job creation and commercial competitiveness.

The minority staff levels for the judiciary committee had to be reduced last Congress from 26 to 22 and as a result they are already currently short-staffed. The type of work performed by the Committee commands staffers with a legal background but with further reductions the more experienced staff may be forced to leave because of financial constraints.

Make no mistake the last thing that we should want is to lose highly trained and experienced staff when it could be avoided with a more balanced commonsense approach.

I urge the defeat of House Resolution 115.

ROBERT A. BRADY