Senate Committee Funding: Description of Process and Analysis of Disbursements

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Summary

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

On March 5, 2013, the Senate agreed by unanimous consent to S.Res. 64, which authorized a total of $66.1 million for committee expenses for the period from March 1 to September 30, 2013. Due to the high level of uncertainty regarding appropriations available to committees for the full two-year period, no authorization for committee expenses was provided beyond September 30. One or more subsequent authorizing resolutions will be required for the remainder of the 113th Congress.

During the 112th Congress (2011-2013), the Senate authorized a total of $242.7 million for committee expenses, including $70.8 million for the March 2011-September 2011 period, $121.4 million for the October 2011-September 2012 period, and $50.6 million for the October 2012-February 2013 period. Additionally, the resolution authorized a total of $15.0 million in special reserve funds.

The Senate Committee on Rules and Administration has jurisdiction over committee funding resolutions and issues regulations governing committee expenditures and staff. Committee expenditures and staff are also regulated by Senate rules, especially Rule XXVI, paragraph 9, and Rule XXVII, as well as by statute. Information on individual committees’ spending is published semi-annually in the Report of the Secretary of the Senate.

This report is organized in three sections. The first provides an overview of the committee funding process in the Senate and analyzes funding levels since 2001. The second reviews Senate floor and committee action on committee funding in the 112th and 113th Congresses. The final section analyzes committee expenditure patterns during the previous five Congresses.
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Introduction

Funding for Senate committees (except for the Committee on Appropriations and the Select Committee on Ethics) follows a two-step process of authorization and appropriation. Operating budgets for all standing and select committees of the Senate (except for the Committee on Appropriations and the Select Committee on Ethics) 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 5, 2013, the Senate agreed by unanimous consent to S.Res. 64, which authorized a total of $66.1 million for committee expenses for the period from March 1 to September 30, 2013, 12% less than the amount authorized for the same period in the 112th Congress. Due to the high level of uncertainty regarding appropriations available to committees for the full two-year period, no authorization for committee expenses was provided beyond September 30. One or more subsequent authorizing resolutions will be required for the remainder of the 113th Congress.

During the 112th Congress, the Senate authorized a total of $242.7 million for committee expenses, including $70.8 million for the March 2011-September 2011 period, $121.4 million for the October 2011-September 2012 period, and $50.6 million for the October 2012-February 2013 period. Additionally, the resolution authorized a total of $15.0 million in a special reserve fund.

The Senate Committee on Rules and Administration has jurisdiction over committee funding resolutions and issues regulations governing committee expenditures and staff. Committee expenditures and staff are also regulated by Senate rules, especially Rule XXVI, paragraph 9, and Rule XXVII, as well as by statute.

This report is organized in three sections. The first provides an overview of the committee funding process in the Senate and analyzes funding levels since 2001. The second reviews Senate floor and committee action on committee funding in the 112th and 113th Congresses. The final section analyzes committee expenditure patterns during the previous five Congresses.

Senate Committee Funding: Process

The Senate biennial committee funding process applies to all Senate committees except Appropriations and Ethics, which have permanent authorizations for their staff and operating expenses. The Senate Committee on Rules and Administration has jurisdiction over committee funding resolutions and issues regulations governing committee expenditures and staff. The funds authorized and allocated by resolution are appropriated in the Legislative Branch Appropriations Acts.

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2 P.L. 79-601, Legislative Reorganization Act of 1946, Section 202(b), 60 Stat. 834, grants the Committee on Appropriations authorization to appropriate funds for its own activities.
4 The funds are contained under the heading “Contingent Expenses of the Senate; Inquiries and Investigations.” For (continued...)
Authorization

Under Senate Rule XXVI, paragraph 9, each Senate committee (except Appropriations and Ethics) is required to report a funding resolution providing for its expenses for March 1 of that year through February 28 of the following year. The rule allows the Committee on Rules and Administration to mandate a process by which funds may be authorized for a two-year period. The Senate took several steps in 1999 to move to a biennial funding process that more clearly reflects a fiscal year orientation. In the two-year funding resolution agreed to at the beginning of subsequent Congresses, the aggregate authorization for each committee was apportioned among three calendar periods—from March 1 to September 30 of the first year of a Congress, from October 1 to September 30 of the following year, and from October 1 to the following February 28. This permits the Senate to identify the amounts authorized for each fiscal year and the subsequent appropriations required.

Each committee supports its request by submitting supplementary materials, including those specified by the Committee on Rules and Administration. In recent Congresses, that panel has advised committees on the permissible increase, or required decrease, it hopes to impose on Senate committees, compared to the funding level in the previous Congress. Committees requesting funds in excess of these guidelines have been asked to include a justification in their budget submissions.5

The Rules and Administration Committee may then hold hearings at which committee chairs, ranking minority Members, and other Senators may testify. In recent Congresses, however, the committee has held hearings only on certain requests, or has not held hearings. The Rules and Administration Committee chair will normally introduce an omnibus resolution incorporating the amounts requested by each of the Senate committees in their individual resolutions. The Rules and Administration Committee will usually then meet to mark up the resolution and, after final approval by the committee, report it to the Senate. In some Congresses, the committee has issued an accompanying written report.6 On occasions where both parties have been in agreement on the funding resolution, the Senate has discharged the committee from the consideration of the resolution by unanimous consent, without a formal committee markup or written report. In recent Congresses, the Senate agreed to the funding resolution by unanimous consent with little, if any, floor discussion.

Appropriation

Funding for Senate committees is provided 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, under the heading “Contingent Expenses of the Senate” and the subheading “Inquiries and Investigations.” Consequently, the amount appropriated for committee funding places a ceiling on total committee

(...continued)

example, see P.L. 112-74, 125 Stat. 1118, December 23, 2011.

5 The guidelines the Committee on Rules and Administration provides to Senate committees are not publicly available.

6 For example, see U.S. Congress, Senate Committee on Rules and Administration, Authorizing Expenditures by Committees of the Senate, report to accompany S.Res. 64, 113th Cong., 1st sess., S.Rept. 113-41 (Washington: GPO, 2013).
expenditures, but not on any individual committee’s expenditures. The expenditures of individual committees are constrained instead by their authorization.

In addition, authorizations for committee funds are made biennially beginning March 1 and appropriations are made annually beginning October 1. Therefore, for any individual biennial funding resolution, funds may be drawn from money appropriated in three different fiscal years.  

**Majority / Minority Funding**

Senate Rule XXVII requires that each committee’s staff reflect the ratio of majority and minority committee members and that the minority receive “fair consideration” in the appointment of staff. A majority of the minority party members of a committee may request at least one-third of the personnel funds for hiring minority staff. This ratio is calculated after excluding funds for staff that perform administrative and clerical functions for the committee as a whole, if any, as agreed to by the chair and ranking minority Member.

In practice, in recent Congresses, the distribution of committee staff and resources was determined through negotiation by the majority and minority leadership. Committee staff may also be supplemented by consultants and staff detailed to the committee from federal agencies, subject to such restrictions as the Committee on Rules and Administration may impose.

**Additional Funding and Special Reserves**

If a committee requires additional funds after the omnibus resolution has been agreed to, funds may be requested essentially in the same way as they were for its two-year budget. Since the 106th Congress, the omnibus funding resolution has contained a special reserve from which unexpected funding needs by a Senate committee could be met, upon the request of its chair and ranking Member and upon the approval of the chair and ranking Member of the Rules and Administration Committee.

**Authorization Trends**

*Figure 1* reports the aggregate Senate committee funding authorization level from the 101st through the 112th Congresses, in both nominal and constant (1989) dollars. Since the 101st Congress, nominal aggregate Senate committee funding has increased by about 163%, from $97.1 million to $257.7 million in the 112th Congress, for an average increase of 15% per Congress. In constant dollars, however, aggregate funding has increased by only 46.3% during the same period, for a biennial average real increase of 4%.

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

Senate Committee Funding: 113th Congress

Similar to previous Congresses, funding resolutions were introduced for each Senate committee at the outset of the 113th Congress.9 The Rules and Administration Committee considered these resolutions as a consolidated omnibus resolution: S.Res. 64.10 On February 28, 2013, S.Res. 64 was reported favorably by the Rules Committee for consideration by the full Senate. On March 5, 2013, the Senate agreed to this resolution by unanimous consent.

Unlike previous Congresses, S.Res. 64 only authorized funding for the period from March 1 to September 30, 2013, due to the high level of uncertainty regarding appropriations available to committees for the full two-year period.11 Subsequent authorizing resolutions will be required for the 12-month period from October 1, 2013, to September 30, 2014, and for the five-month period from October 1, 2014, to February 28, 2015.12

According to the chairman’s statement in the report accompanying S.Res. 64:

9 See S.Res. 38, S.Res. 39, S.Res. 40, S.Res. 42, S.Res. 44, S.Res. 45, S.Res. 46, S.Res. 47, S.Res. 48, S.Res. 49, S.Res. 50, S.Res. 51, S.Res. 52, S.Res. 53, S.Res. 54, S.Res. 55, S.Res. 59. See also S.Res. 43 (the Rules and Administration Committee’s original funding resolution authorizing its own committee expenditures, which was consolidated into S.Res. 64 along with the resolutions of every other committee).
11 Ibid., p. 1.
12 Ibid.
S. Res. 64 represents a reduction in committee funding authorizations of 12 percent below the level of S. Res. 81 in the 112th Congress. The Rules Committee notified committees that it would issue ‘expenditure guidance’ as necessary to bring actual committee spending into closer alignment with available appropriations as necessary during the 113th Congress.13

**Figure 2** reports the committee funding authorization and expenditure levels for the first seven-month period of each authorization in real dollars.14 The seven-month period of the 113th Congress is currently ongoing, so its expenditures have not yet been reported. As shown in the figure, the aggregate *authorized amount* for the seven-month period of the 113th Congress is only slightly more than the actual aggregate *expenditures* during the same period in previous Congresses.

**Figure 2. Committee Funding Authorizations and Expenditures for the Period of March 1st to September 30th**

107th-113th Senates, Constant Dollars

![Graph showing committee funding authorizations and expenditures](chart)


**Senate Committee Funding: 112th Congress**

**Committee Action**

From February 15 to February 28, 2011, funding resolutions were reported by each of the Senate’s standing, special, and select committees,15 in conformance with the Standing Rules of

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13 S.Rept. 113-41.
14 Data is presented beginning with the 107th Congress, when the Senate adopted the current three-period structure.
the Senate. The Senate Rules and Administration Committee considered these resolutions as a consolidated omnibus resolution: S.Res. 81.


Prior to this markup, the Rules Committee offered committees an opportunity to streamline the authorization process by submitting budget requests that were within the guidelines specified by the Joint Leadership agreement and questionnaires that were jointly signed by the chair and ranking minority Member. Committees that wished to request funds that exceeded those guidelines were directed to submit a letter to the Rules Committee, signed by the chair and ranking minority Member, that specified the requested amount and asked for a hearing. Every committee funded by S.Res. 81 submitted budgets and questionnaires that conformed to the guidelines. Consequently, there was no testimony by committee chairs or ranking minority Members at the March 1 markup.

At the March 1, 2011, markup, S.Res. 81 was agreed to by the Rules Committee by voice vote, and was reported favorably for consideration by the full Senate.

**Senate Floor Action**

On March 2, 2011, the Senate agreed to S.Res. 81 by unanimous consent. The resolution authorized a total of $242.7 million for committee expenses, including $70.8 million for the March 2011-September 2011 period, $121.4 million for the October 2011-September 2012 period, and $50.6 million for the October 2012-February 2013 period.

Additionally, the resolution authorized a total of $15.0 million in special reserve funds, including $4.4 million for the March 2011-September 2011 period, $7.5 million for the October 2011-September 2012 period, and $3.1 million for the October 2012-February 2013 period.

(...continued)

S.Res. 64, S.Res. 66, S.Res. 67, S.Res. 68, S.Res. 69, S.Res. 71, S.Res. 79. See also S.Res. 70 (the Rules Committee’s original funding resolution authorizing its own committee expenditures, which was consolidated into S.Res. 81 along with the resolutions of every other committee).

16 See *Standing Rules of the Senate* (112th Congress), Rule XXVI, paragraph 9.


18 Ibid, pp. 2, 4. In The Joint Leadership agreement, Senators Reid and McConnell agreed that funds for committee expenses would be made available to each chair consistent with Senate rules and practices of the previous Congress, except that the amount of funding authorized for each committee in the 112th Congress would be reduced by the amount that was allocated to that committee from the Special Reserve in the previous Congress. See “Special Reserves” in this Report for background on the Special Reserve Fund.

19 Ibid., p. 4.

20 Ibid.

21 For specific authorization levels of individual committees, see CRS Report R40424, *Senate Committee Expenditures Resolutions, 113th Congress, and Funding Authorizations Since 1999*, by Matthew E. Glassman.
Funding

Appropriations for Senate committees are typically included annually in the Legislative Branch Appropriations bill. For FY2011, $140.5 million was appropriated for Senate committees in the Department of Defense and Full-Year Continuing Appropriations Act, 2011, to remain available until December 31, 2012. For FY2012, $131.3 million was appropriated for Senate committees in Division G of the FY2012 Consolidated Appropriations Act. For FY2013, a continuing appropriation was provided in the Consolidated and Further Continuing Appropriations Act, 2013, subject to the effects of across-the-board rescissions and sequestration.

Majority / Minority Distribution

For the 112th Congress, the majority and minority leaders agreed to a new, standardized approach to the distribution of committee funding, which they also agreed should be adopted by future Congresses.

The formula for determining the distribution is as follows, as described by the chairman’s statement in S.Rept. 112-9: First, 10% of the total salary baseline, after excluding non-designated staff, is apportioned to the majority for administrative expenses. The remaining 90% of the total salary baseline is to be apportioned based on the party division of the Senate. However, regardless of the party division of the Senate, under the current arrangement the minority share shall never be less than 40% of the total committee funding.

At the beginning of the 112th Congress, the party division of the Senate was 53 Democrats and 47 Republicans. The majority party was first apportioned the 10% of the total salary baseline, after excluding non-designated staff, for administrative expenses. The remaining 90% of the salary baseline was to be distributed at a ratio of 53% for the majority party and 47% for the minority party.

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22 P.L. 112-10, a continuing resolution referencing the funds appropriated in the Legislative Branch Appropriation Act, 2010, P.L. 111-68.
23 P.L. 112-74.
25 See S.Rept. 112-9, “Colloquy” and “Joint Leadership Letter,” p. 2. In his colloquy with Senator McConnell, Senator Reid explained that over the past decade, the distribution of committee funding was determined during biennial negotiations. Prior to that, during the 1990s, committee funding was distributed by a fixed proportion of two-thirds for the majority and one-third for the minority.
26 Ibid.
27 This included two independent Senators, Joseph Lieberman and Bernard Sanders, who caucused with the Democratic Party.
Senate Committee Funds: Usage

Regulations

The Senate Committee on Rules and Administration has jurisdiction over committee funding resolutions and issues regulations governing committee expenditures and staff. Committee expenditures and staff are also regulated by Senate rules, especially Rule XXVI, clause 9, and Rule XXVII, as well as by statute.

Committee Funding in Practice

The following sections provide an analysis of committee expenditures during the 107th through 111th Congresses. Total expenditures of individual committees were examined to ascertain aggregate committee costs and the percentage of the annual authorization expended. Data were also examined on individual expenditures across budget categories to better understand how committees had used their authorized funds.

Methodology

Data

Data on committee expenditures were compiled using the semi-annual Report of the Secretary of the Senate, which reports Senate expenditures disbursed during the previous six months. The Report of the Secretary of the Senate aggregates expenditures for individual committees across standard budget object classes used by the federal government. Data were examined for five Congresses: 107th (2001-2003), 108th (2003-2005), 109th (2005-2007), 110th (2007-2009), and 111th (2009-2011), for a total of 10 years of expenditures. The universe of data includes over 3,500 observations. For each year analyzed, multiple out-year disbursement reports were examined, since, pursuant to law, late-arriving bills may be paid for up to two years following the end of the fiscal period that funds were appropriated.

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29 The data provide only a snapshot of committee expenditures in particular years, which may be used to assess the general contours of committee spending patterns. They do not predict future spending, either by individual committees or in aggregate.

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

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

- Net Payroll Expenses;
- Travel and Transportation;
- Rent, Communications, and Utilities;
- Printing and Reproduction;
- Other Contractual Services;
- Supplies and Materials; and
- Acquisition of Assets.

The disbursement volumes also contain data on supplemental funding from further authorizations or special reserves.

Expenditures as a Percentage of Authorization

Table 1 demonstrates that most committees have not used all of the funds authorized to them. Across all years, about 25% of committees spent less than 80% of their authorization, whereas about 44% of committees spent between 80% and 90% of their authorization, and about 31% of committees spent more than 90% of their authorization. In the 107th Congress, seven committees spent less than 80% of their authorizations, while four committees spent between 90% and 95%. Similar levels were seen in the 111th Congress, where nine spent less than 80% and three spent between 90% and 95%.

<table>
<thead>
<tr>
<th>Congress</th>
<th>&lt; 80%</th>
<th>80-85%</th>
<th>85-90%</th>
<th>90-95%</th>
<th>&gt;95%</th>
<th>Total Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>107th (2001-2003)</td>
<td>7</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>0</td>
<td>19</td>
</tr>
<tr>
<td>108th (2003-2005)</td>
<td>5</td>
<td>2</td>
<td>4</td>
<td>8</td>
<td>0</td>
<td>19</td>
</tr>
<tr>
<td>109th (2005-2007)</td>
<td>2</td>
<td>2</td>
<td>6</td>
<td>8</td>
<td>1</td>
<td>19</td>
</tr>
<tr>
<td>110th (2007-2009)</td>
<td>1</td>
<td>2</td>
<td>11</td>
<td>3</td>
<td>2</td>
<td>19</td>
</tr>
</tbody>
</table>


32 Certain expenses are not included in committee expenditures and are reflected in these totals. These include the salaries of Members and certain benefits—including health and life insurance and retirement—for both Members and staff.
Senate Committee Funding: Description of Process and Analysis of Disbursements

## Spending by Budget Category

Figure 3 shows that the largest category of spending in the five observed Senates, accounting for just over 95% of total committee spending, was for “Net Payroll Expenses.” Beyond these staff expenses, committees spent an aggregate of 1.6% of their expenditures on “Supplies and Materials,” 1% on “Travel and Transportation,” and 1% on “Rent, Communications, and Utilities.” The use of most committee funds on personnel was true both across time and across individual committees. Only one committee—the Indian Affairs Committee in the 110th Senate—spent less than 90% of its funds on net payroll expenses.

**Figure 3. Expenditures by Category, as a Percentage of Committee Spending**

| Notes: The figures represent only spending supported by committee funds. For example, this spending does not include Member salaries, government contributions for employee benefits, the cost of DC office space, or various services provided by Senate administrative offices. |
Spending Over Time

Table 2 reports the aggregate Senate committee expenditures from the 107th to the 111th Congresses, in both nominal and constant dollars, and includes the annual percentage increase in total expenditures. Since the 107th Congress, aggregate Senate committee expenditures have increased by 58.2%, from $131.0 million to $207.3 million in the 112th Senate, for an average increase of slightly less than 15% per Congress. In constant dollars, however, aggregate expenditures increased by only 30.6% during the same period, for a biennial average real increase of 7.6%.

Table 2. Expenditures by Congress
Senate Committees (excluding Appropriations and Ethics Committees)

<table>
<thead>
<tr>
<th>Senate</th>
<th>Nominal</th>
<th>% change from previous Senate</th>
<th>Constant</th>
<th>% change from previous Senate</th>
</tr>
</thead>
<tbody>
<tr>
<td>107th</td>
<td>131.0</td>
<td>-</td>
<td>131.0</td>
<td>-</td>
</tr>
<tr>
<td>108th</td>
<td>146.7</td>
<td>11.98%</td>
<td>141.2</td>
<td>7.79%</td>
</tr>
<tr>
<td>109th</td>
<td>166.2</td>
<td>13.29%</td>
<td>150.7</td>
<td>6.74%</td>
</tr>
<tr>
<td>110th</td>
<td>177.3</td>
<td>6.68%</td>
<td>151.4</td>
<td>0.48%</td>
</tr>
<tr>
<td>111th</td>
<td>207.3</td>
<td>16.92%</td>
<td>171.1</td>
<td>13.00%</td>
</tr>
</tbody>
</table>


Notes: The table represents only spending supported by committee funds. For example, this spending does not include Member salaries, government contributions for employee benefits, the cost of DC office space, and various services provided by Senate administrative offices.

Discussion

The data presented here show that most committee resources went to personnel expenses, with approximately 95% of committee expenditures going toward net payroll expenses. This finding was stable across the 107th through 111th Congresses. The data also show that aggregate authorizations over these Congresses were somewhat larger than aggregate committee expenditures, leaving most individual committees with spending flexibility.

The reduction in aggregate authorization for the first seven months of the 113th Congress, however, suggests that the total aggregate authorization for the 113th Congress may provide less excess resources than in past Congresses if typical committee expenditure levels remain the same as in previous Congresses. If future authorization levels continue to decline, individual committees could see a shortfall in resources. Given the large proportion of resources that go to personnel expenses, such a shortfall would likely require a reduction of staff or reduction of staff salaries, as well as a reduction of committee activities relative to previous Congresses.
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