106TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 106–72

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

MARCH 22, 1999.—Referred to the House calendar and ordered to be printed

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

REPORT

together with

MINORITY VIEWS

[To accompany H. Res. 101]

The Committee on House Administration, to whom was referred the resolution (H. Res. 101) providing amounts for the expenses of certain committees of the House of Representatives in the One Hundred Sixth Congress, having considered the same, report favorably thereon with an amendment and recommend that the resolution be agreed to.

The amendment is as follows:

Strike out all after the resolving clause and insert in lieu thereof the following:

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

(a) IN GENERAL.—With respect to the One Hundred Sixth 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, $8,414,033; Committee on Armed Services, $10,342,681; Committee on Banking and Financial Services, $9,307,521; Committee on the Budget, $9,940,000; Committee on Commerce, $15,285,113; Committee on Education and the Workforce, $11,200,497; Committee on Government Reform, $19,770,233; Committee on House Administration, $6,251,871; Permanent Select Committee on Intelligence, $5,164,444; Committee on International Relations, $11,313,531; Committee on the Judiciary, $12,152,275; Committee on Resources, $10,567,908; Committee on Rules, $5,069,424; Committee on Science, $8,931,726; Committee on Small Business, $4,148,880; Committee on Standards of Official Conduct, $2,632,915; Committee on Transportation and Infrastructure, $13,220,138;

Committee on Veterans' Affairs, $4,735,135; and Committee on Ways and Means, $11,930,338.

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, 1999, and ending immediately before noon on January 3, 2000.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $4,101,062; Committee on Armed Services, $5,047,079; Committee on Banking and Financial Services, $4,552,023; Committee on the Budget, $4,970,000; Committee on Commerce, $7,564,812; Committee on Education and the Workforce, $5,908,749; Committee on Government Reform, $9,773,233; Committee on House Administration, $2,980,255; Permanent Select Committee on Intelligence, $2,514,916; Committee on International Relations, $5,635,000; Committee on the Judiciary, $5,787,394; Committee on Resources, $5,208,851; Committee on Rules, $2,488,522; Committee on Science, $4,410,560; Committee on Small Business, $2,037,466; Committee on Standards of Official Conduct, $1,272,416; Committee on Transportation and Infrastructure, $6,410,069; Committee on Veterans' Affairs, $2,334,800; and Committee on Ways and Means, $5,814,367.

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, 2000, and ending immediately before noon on January 3, 2001.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $4,312,971; Committee on Armed Services, $5,295,602; Committee on Banking and Financial Services, $4,755,498; Committee on the Budget, $4,970,000; Committee on Commerce, $7,720,301; Committee on Education and the Workforce, $5,291,748; Committee on Government Reform, $9,997,000; Committee on House Administration, $3,271,616; Permanent Select Committee on Intelligence, $2,649,528; Committee on International Relations, $5,678,531; Committee on the Judiciary, $6,364,881; Committee on Resources, $5,359,057; Committee on Rules, $2,580,902; Committee on Science, $4,521,166; Committee on Small Business, $2,111,414; Committee on Standards of Official Conduct, $1,360,499; Committee on Transportation and Infrastructure, $6,810,069; Committee on Veterans' Affairs, $2,400,335; and Committee on Ways and Means, $6,115,971.

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 Administration.

SEC. 5. REGULATIONS.

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

SEC. 6. RESERVE FUND FOR UNANTICIPATED EXPENSES.

There is hereby established a reserve fund of $3,000,000 for unanticipated expenses of committees for the One Hundred Sixth Congress. Amounts in the fund shall be paid to a committee pursuant to an allocation approved by the Committee on House Administration.

SEC. 7. ADJUSTMENT AUTHORITY.

The Committee on House Administration 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 16, 1999, by record vote, a quorum being present, the Committee agreed to an amendment in the nature of a substitute and, by voice vote, a quorum being present, the Committee agreed

to a motion to report the resolution, as amended, favorably to the House.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII 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 3(c)(2) of rule XIII 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 3(c)(3) of rule XIII 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

The Committee states, with respect to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, that the Committee on Government Reform 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.

RECORD VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, with respect to each record 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. 101, Record No. 1

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

Member	Aye	Nay	Present
Mr. Thomas		X	
Mr. Boehner		X	
Mr. Ehlers		X	
Mr. Ney		X	
Mr. Mica		X	
Mr. Ewing		X	
Mr. Hoyer	X		
Mr. Fattah	X		

Member	Aye	Nay	Present
Mr. Davis	X	.....	
Total	3	6	

H. Res. 101, Record No. 2

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

Member	Aye	Nay	Present
Mr. Thomas	.....	X	
Mr. Boehner	.....	X	
Mr. Ehlers	.....	X	
Mr. Ney	.....	X	
Mr. Mica	.....	X	
Mr. Ewing	.....	X	
Mr. Hoyer	X	.....	
Mr. Fattah	X	.....	
Mr. Davis	X	.....	
Total	3	6	

H. RES. 101, RECORD NO. 3

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

Member	Aye	Nay	Present
Mr. Thomas	X	.....	
Mr. Boehner	X	.....	
Mr. Ehlers	X	.....	
Mr. Ney	X	.....	
Mr. Mica	X	.....	
Mr. Ewing	X	.....	
Mr. Hoyer	.....	X	
Mr. Fattah	.....	X	
Mr. Davis	.....	X	
Total	6	3	

GENERAL DISCUSSION

Voice Vote

The Committee, by voice vote, with a quorum present, on March 16, 1999, agreed to report H. Res. 101, as amended, favorably to the House.

General Discussion

H. Res. 101, as amended, authorizes for standing committees (excluding the Committee on Appropriations) and the Permanent Select Committee on Intelligence $180,378,663 for the 106th Congress. An additional $3,000,000 is included in the resolution, as authorization held in reserve for unanticipated activities. In a separate Committee resolution, approved on March 10, 1999, the Committee on House Administration established franked mail allocations for these committees.

The sum total of all budget requests for the 106th Congress was $189,029,110. The $180,378,663 authorized for committees is $8,650,447, 4.6% less than the sum of all amounts requested by committees.

Committee	106th request [1]	H. Res. 101	1999	2000
Agriculture	$8,564,493	$8,414,033	$4,101,062	$4,312,971
Armed Services	10,599,855	10,342,681	5,047,079	5,295,602
Banking and Financial Services	9,725,255	9,307,521	4,552,023	4,755,498
Budget	9,940,000	9,940,000	4,970,000	4,970,000
Commerce	15,537,415	15,285,113	7,564,812	7,720,301
Education and the Workforce	12,382,570	11,200,497	5,908,749	5,291,748
Government Reform	21,028,913	19,770,233	9,773,233	9,997,000
House Administration	6,307,220	6,251,871	2,980,255	3,271,616
Intelligence	5,369,030	5,164,444	2,514,916	2,649,528
International Relations	11,659,355	11,313,531	5,635,000	5,678,531
Judiciary	13,575,939	12,152,275	5,787,394	6,364,881
Resources	11,270,338	10,567,908	5,208,851	5,359,057
Rules	5,069,424	5,069,424	2,488,522	2,580,902
Science	9,018,326	8,931,726	4,410,560	4,521,166
Small Business	4,399,035	4,148,880	2,037,466	2,111,414
Standards of Official Conduct	2,860,915	2,632,915	1,272,416	1,360,499
Transportation	14,539,260	13,220,138	6,410,069	6,810,069
Veterans' Affairs	5,220,890	4,735,135	2,334,800	2,400,335
Ways and Means	11,960,876	11,930,338	5,814,367	6,115,971
Subtotal	189,029,110	180,378,663	88,811,574	91,567,089
Reserve Fund	.....	3,000,000	0	0
Total	189,029,110	183,378,663	88,811,574	91,567,089

[1] Amount requested in budget request submitted to Committee on House Administration.

The minority offered two amendments to the amendment in the nature of a substitute. The first amendment would require that ⅓ or greater of any amount allocated to a committee from the reserve fund be paid at the direction of the ranking minority member. The second amendment would require that ⅓ or greater of any amount authorized to each committee be paid at the direction of the ranking minority member. Both minority amendments failed.

Committee Funding Process

The 106th Congress is the third 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.

The biennial committee funding process has proven successful. 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.

Comparison of Committee Funding Resolution

At the beginning of 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 levels were reduced by a total of 30%. In the 106th Congress,

committee staff and funding levels continue to remain well below the 103rd levels.

H. Res. 101, as amended, authorizes a total of $183,378,663, which is 18%, $39,956,755 below the 103rd Congress level. The Speaker has set the staff ceiling for committees, excluding the Committee on Appropriations, at 1,153 for the 106th Congress, which is 30%, 486 staff slots below the 103rd Congress level.

Committee Funding Resolution Comparisons

[Excluding Appropriations Committee]

103rd Congress, Democratic Majority	$223.3 million		
	1,639 staff		
104th Congress, Republican Majority	$157.2 million	=	70% of 103rd level (reduced 30%)
	1,089 staff	=	67% of 103rd level (reduced 33%)–
105th Congress, Republican Majority	$177.9 million	=	80% of 103rd level (reduced 20%)
	1,104 staff	=	67% of 103rd level (reduced 33%)
106th Congress, Republican Majority	$183.4 million	=	82% of 103rd level (reduced 18%)
	1,153 staff	=	70% of 103rd level (reduced 30%)

Detailees

In the 105th Congress, the Committee on House Administration adopted new regulations for detailees. No reimbursement is required for detailees, except for detailees from the Government Printing Office (GPO). Detailees assigned from the GPO require full reimbursement. The total number of non-reimbursable detailees, at one time, must remain at or below the 10% of the committee staff ceiling. Committees must reimburse agencies for any detailees that exceed 10% of the committee staff ceiling.

While detailees often provide special expertise not available on committee staff, or expertise not required on a permanent basis, this policy was intended to continue to ensure prudent use of other agencies resources and to continue a full-accountability model for committee funding. This regulation will continue to remain in effect for the 106th Congress.

In February 1999, the Speaker increased committee staff ceilings by the number of GPO detailees a committee had in 1998. The staff ceiling of any committee that had GPO detailees in 1998 will increase by the number of GPO detailees.

Committees have the option of either continuing to use GPO detailees, which will fill the additional staff slots, or replace the GPO detailees with committee employees. The additional staff positions may only be used for GPO detailees or employees hired to assist in the preparation of committee publications.

Reserve Fund

H. Res. 101, as amended, includes $3,000,000 for the reserve fund in the 106th Congress. This amount is a $4,900,000, 62% reduction from the amount allocated in the 105th Congress.

Historically, during a Congress new matters and issues that require study and review come to the attention of the House. Under a two-year funding cycle, there is a significantly greater likelihood that Committees cannot accurately anticipate all matters that may arise in their jurisdiction.

In the 105th Congress, a reserve fund was established as a prudent method for funding such unexpected matters. The 105th Congress funding resolution included $7,900,000 for the reserve fund. The Reserve Fund proved vital in funding unanticipated expenses in the 105th Congress.

Funds allocated to a committee from the reserve fund may only be used for expenses associated with the project for which the funds were requested. Funds may not be used to supplement the funds authorized under a committee's primary expense resolution. In addition, any increase in a committee's staff ceiling is temporary and a committee's staff ceiling will revert to its original level once the project is complete.

Guidelines for Allocation from the Reserve Fund

On March 10, 1999, the Committee adopted revised Guidelines to more closely resemble the Committees' Congressional Handbook regulation regarding Biennial Funding. The revised Guidelines do not change the material that committees are required to submit to the Committee on House Administration. Committees are still required to submit documentation that shows why the funds are needed and an explanation of why an allocation from the Reserve Fund is necessary.

The most significant change is that Chairman and Ranking Minority Members of each committee requesting an allocation from the Reserve Fund will now be invited to testify before the Committee.

Minority Resources

The majority is proud of the progress that has been made by 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 with nonpartisan staff) allowed one-third of their resources, staff and funds, to the minority party, with an average allocation to the minority of 21% of staff slots.

When the Republicans assumed control in the 104th Congress, staff allocations to the minority party significantly improved. In the 104th Congress, all committees, excluding committees with nonpartisan staff, provided at least 22% of the total staff salaries to the minority. Twelve committees provided 30% or greater of staff salaries and eleven committees provided over 25% of the staff slots to the minority.

In the 105th Congress, additional progress was made toward one-third allocation of staff and resources to the minority. All commit-

tees, excluding those with non-partisan staff, provided at least 25% of staff salaries to the minority. The average allocation of staff slots to the minority was 30% with seven committees providing 33% and four committees providing 30% or more of staff slots to the minority.

In the 106th Congress, the average allocation of staff slots to the minority will increase to 31% with nine committees allocating 33% and five committees allocating 30% or more staff slots to the minority. Committees will allocate an average of 32% of staff salaries, excluding administrative staff, to the minority with eleven committees allocating 33% and four committees allocating 30% or more of salary budget to the minority. No minority will receive less than 28% of staff salaries. In addition, four committees will provide a percentage of the total committee budget to the minority.

Minority Resource Comparison

103rd Congress vs 106th Congress

	103rd	104th	105th	106th
Percent of Committees providing 33% of staff slots[1] to the minority	11%	35%	41%	53%
Number of Committees providing:				
33% or more	2	6	7	9
25% to 32%	7	9	9	8
Less than 25%	10	2	1	0

[1] For the 103rd Congress, the calculation is based on investigative staff. Committees with non-partisan staff, Armed Services and Standards of Official Conduct, are not listed.

Committees that allocated less than 30% of staff slots to the minority in the 105th Congress have made significant movement toward the ⅓ goal. The Committee on House Administration will continue to encourage committees to work toward the goal of a one-third allocation of resources to the minority.

MINORITY VIEWS OF STENY H. HOYER, CHAKA FATTAH AND JIM DAVIS

REPUBLICANS STILL RIGHT ON THE FAIRNESS ISSUE

"A ratio of one-third/two-thirds for all committee staff, investigative as well as statutory, is a sine qua non for bridging the institutional animosities that now poison our policy debates."

This was the view of every member of the Republican leadership and the ranking minority members of every House committee in a March 30, 1993, letter to the Joint Committee on the Organization of Congress. (See Attachment 1).

It is just as valid today, as Republican and Democratic House Members prepare to go to Hershey, Pennsylvania, to try to lay to rest the institutional animosities that poisoned the legislative process during the recent speakership of one of the letter's principal cosigners—Rep. Newt Gingrich.

In 1999, the test of the Republican majority's commitment to fairness and reform in House operations is whether it is willing to practice what it preaches. This will be the third Congress under Republican majority control. Republican rationalizations justifying further delay in uniformly applying this Republican principle of fundamental fairness, are totally inconsistent with Speaker Hastert's call for the majority and minority to work together in a spirit of comity. And all the Republican invocations and excuses, particularly with respect to several specific committees, cannot mask the fact that they have failed to achieve what they stated was fair to the minority. It is now time to provide one-third of the resources on each standing committee to the minority party, to be expended at the direction of its ranking minority member. This includes one-third of all staff slots.

Chairman Thomas, to his great credit, has consistently been fair to the Minority on the House Administration Committee, and has provided to the minority one-third of funds, one-third of staff, and complete discretion over the use of these resources. He has also understood that a demonstration of respect for the Minority, by adhering to the one-third principle, has in no way hampered the ability of the House Administration Committee's majority to be aggressive and partisan in pursuit of its own agenda, and to fulfill the majority's responsibility to run the House.

But no other committee has fully matched Chairman Thomas' standard, though some have come close in terms of funding, staffing, or control, or some combination thereof. There has been a slow movement toward the principle of fairness on many committees, but there is still a long way to go on several others.

MINORITY SHOULD CONTROL ONE-THIRD OF COMMITTEE RESOURCES

When the Republican Party was in the minority in the 103rd Congress, the Republican mantra was "one-third for the minority". During that Congress, amendments to provide the minority with one-third of all committee resources were offered by Republicans in the House Administration Committee during committee funding markups. Republicans also offered motions to recommit the funding resolution with similar instructions during floor consideration. These motions were advertised as "fairness amendments" by their sponsors.

In the 106th Congress, where the Democratic minority represents nearly 49% of the Membership, one-third of all committee resources is the minimum which would provide the minority a meaningful opportunity to contribute to the House's oversight and legislative activities. More importantly, application of the one-third principle would promote comity, and provide some checks and balances in the operation of the House. A majority, while it can work its will if united, is not always "right". And any policy debate will benefit directly from a minority which has the resources to meaningfully participate in the debate at all levels, and in fashioning amendments to help perfect majority initiatives.

The application of the one-third principle is a win-win situation. The application of anything less diminishes both parties, and fosters the suspicion that the minority is being intentionally disadvantaged to keep it from effectively performing its role.

The Republican majority, which has only itself to blame for some of its most publicized disasters during the last four years, might have benefited from the minority's views, and also from the minority's ability to temper the majority's positions, or to at least focus majority attention on the consequences of its proposed actions. But to effectively do so, the minority must reach critical mass in developing its own information to respond to the majority's initiatives. The Republican one-third rule would provide those necessary resources.

The Republican leadership, and many committee chairs, have found excuses to delay the one-third fairness principle for five years, even though the Democratic minority in the House is far larger than the Republican minority during the last 40 years. Rather than opening up the committee oversight and legislative processes to all Members, irrespective of party, the majority appears to have become bitter winners, retreating behind statistics of perceived, past unfairness by Democratic majorities, as an excuse to remember, and emulate, the alleged sins of the past. More than half the current Members of the House were elected since the Republicans took control. The animosities of the past should not limit the capacity of any House Members to fully represent their constituents in the 106th Congress. However these attitudes affect the majority today, as they seek to rationalize their unwillingness to implement the one-third principle across all their committees now (See Attachment 2).

A MISSED OPPORTUNITY

The dramatic cuts in the number of committee staff, and the implementation of staff ceilings by Speaker Gingrich in 1995, provided a seemingly ideal opportunity to reinvent the committee funding process at every level, but the new Republican majority failed to grasp the opportunity. They could have adjusted staff sizes and funding amounts to give the minority one-third on every committee. Instead, while cutting staff, they institutionalized unfairness in the staffing levels of several committees, and have used the Speaker's staff ceilings to justify their further inaction. In subsequent Congresses, either through attrition or by seeking staff ceiling increases, committee chairs could have transitioned to the one-third principle without disruption to their own operations. But there has been minimal movement in this area, and past inequities have been perpetuated in this resolution.

The report of this committee accompanying the funding resolution in 1995 (H. Rpt. 104–74) stated:

> Our goal is to have all committees, with the agreement of the chairman and ranking minority member, provide at least a one-third allocation of resources, for use by the minority as directed by the ranking minority member, as soon as practicable.

In 1995, Chairman Thomas said that committees, which did not provide one-third to the minority immediately, would grow toward one-third over time. Unfortunately, in the case of several committees, the seeds were evidently planted in concrete. While Chairman Thomas has provided leadership and served as an example of proper minority allocation, and has attempted to convince recalcitrant chairmen and the Republican leadership to apply the one-third principle in other committees, stronger measures are now clearly called for. The House Administration Committee, and the House, should direct all committees to finally meet the Republican majority's stated commitment to fairness. Unfortunately, this committee expense resolution fails to take that essential and overdue "next step".

To assist in achieving the "next step", the minority offered two amendments to the omnibus funding resolution. The first amendment provided that each committee allow one-third of the authorized funds to be controlled by the minority. The second amendment provided that one-third of any reserve fund disbursements be controlled by the minority. The first amendment was identical in form to resolutions or motions offered in the Committee, and on the House floor, by the Republicans when they were in the minority. They believed in the one-third principle of fairness then, and one would have expected them to support their own amendments. However not a single Republican voted in the Committee for the Republican amendments when they were offered by the Democratic minority, even though several of the Republicans who offered the amendments still serve on the Committee today. This was truly a missed opportunity for the majority to take an action consistent with public statements that it is committed to a more bipartisan and collegial administration of the House.

THE PRINCIPAL PROBLEM AREAS

Two committees have lagged far behind others in implementing the Republican's simple two-third/one-third fairness principle, i.e., Government Reform, and Judiciary. Both have been among the most active vehicles for the majority in pursuing partisan investigations, which were planned and executed with little or no consultation with the minority. Both also benefited from disbursements from the reserve fund in the 105th Congress, above and beyond their funding levels approved by the House. Both have refused to grant the minority one-third of the staff slots, one-third of either staffing or administrative funds, or control over the limited funds provided. And both have paid only lip service to the goal of providing the minority with one-third over the six year period (including this resolution), with Government Reform remaining largely unchanged at 25 percent since 1995.

The performance of the Government Reform Committee in the 105th Congress illustrates the dangers of a lack of accountability. The committee held few hearings, spent huge sums of money, duplicated resources available elsewhere, ignored possible Republican violations of campaign laws, and altered telephone transcripts to advance the majority agenda. It was reported that even former Speaker Gingrich, at a meeting of the Republican Conference, was critical of the majority's alteration of transcripts of telephone conversations, characterizing the action as an embarrassment. Had the minority had the opportunity and resources to participate more fully in the conduct of the committee's business, it might have been able to serve as a restraint on this committee's record of excess and irresponsibility.

Despite its record, this Committee asked for an increase of over 7 percent above its 105th Congress funding level, while still freezing the minority's resources at 25 percent. The chairman made this request without any consultation or communication with the minority, in violation of Government Reform Committee rules, and without any consideration by the full Committee.

The Judiciary Committee has also failed to make substantial progress toward one-third fairness principle. The Committee sought an increase of 28 percent above the 105th Congress level, and received an increase of approximately 15 percent in the resolution. Yet even with the increased funding, it is refusing to provide even a third of its resources to the minority.

THE RESERVE FUND

The failure of the Education and the Workforce Committee, Government Reform and Oversight Committee, and Judiciary Committee probes to produce any significant results from their 105th Congress investigations funded by the reserve fund, demonstrates the dangers of having an unaccountable pot of money which can be expended at the discretion of the Speaker by a simple vote of the House Administration Committee, without any real debate by either this Committee or by the full House. The legitimate role of a reserve fund would be greatly enhanced by allowing the House to vote on any intended use.

The majority recommended $3,000,000 for the reserve fund in the 106th Congress—a substantial cut from the amounts allocated in the previous Congress. This is a welcome reduction, and this limited amount may serve as a disincentive to disburse funds for partisan or irrelevant investigations. Hopefully the reserve fund will be used only for unanticipated expenses which serve public, rather than partisan political interests. However it should be noted that two partisan oversight investigations in the 105th Congress, which were funded from the $7,900,000 reserve fund, have simply been continued in the 106th Congress by authorizing the Government Reform, and Education and the Workforce Committees substantial increases in their funding. Although this has allowed the reserve fund to be reduced in the 106th Congress, it has done nothing to mitigate the partisan use of funds in these two cases.

Of particular concern is the Census Subcommittee of the Government Reform Committee, which has now been embedded in the most partisan committee in the House. The Census is of enormous importance to all citizens of the United States, and to all their elected representatives. Ensuring an accurate Census count is an essential part of ensuring fairness in the allocation of Federal funds at all levels during the next decade, and ensuring appropriate state-by-state representation in this institution. There should be nothing partisan about ensuring an accurate Census count, and oversight on the Census should therefore be on a totally bipartisan basis. The inclusion of the Census Subcommittee under the most partisan committee in the House—a committee with the worst record of allowing any meaningful minority involvement—is unacceptable. In order for the Census Subcommittee to be bipartisan, there should be an equal number of majority and minority members, with an equal division of staffing and other resources. And failing that, the one-third rule should govern staffing and resource allocation on that Subcommittee.

The Majority has also taken a small step to open up the reserve fund process to greater scrutiny. It has amended this Committee's internal guidelines for the consideration of reserve fund requests, to include an invitation to the chairman and ranking minority members to testify publicly. This will provide some needed accountability, and help debunk the perception in the last Congress that reserve fund requests were simply a matter between the requesting chairmen and the Speaker, with the minority having no role, and the House Administration Committee serving only the ministerial function of implementing the Speaker's decisions.

The practice in the 105th Congress served to centralize control in the office of the Speaker at the expense of broader institutional review of funding requests. It also spared the majority from the embarrassment of having their requests for partisan political investigations subjected to public scrutiny. The practice in this Congress should increase public accountability, and better ensure the constructive expenditure of these funds.

However we believe that the Committee should go even further and require, at a minimum, consultation with the minority on the committees involved, before any reserve fund request is formalized.

With the support of this Committee's minority members, and the support of every ranking minority member on every House com-

mittee (except the Standards Committee), Representative Hoyer introduced H. Res. 38, which calls for a House vote on any allocation from the reserve fund. The prospect of public debate and a vote would require greater care on the part of the Majority in its preparation of reserve fund requests.

H. RES. 101

The Minority understands that the Majority may have some difficulty passing H. Res. 101, the Omnibus Committee Funding resolution, just as it did in 1997, when the rule providing for its consideration was defeated, and the committee funding process had to be divided into separate resolutions, with final action delayed until May of that year. The Majority in 1999 is still caught between committee chairmen, who have asked for large funding increases, Republicans who believe in fairness, and other Republican members who seek to limit the growth of government spending irrespective of its purpose.

One way to avoid a repetition of this problem would be to reach out to the minority members who understand the need for a properly funded committee system. As long as the minority is treated fairly in the allocation of resources, and is consulted in the preparation of committee agendas, a truly bipartisan committee funding resolution would be possible. It would be especially appropriate now, in light of the new Republican leadership's desire to promote a more civil atmosphere in the House, and comity and bipartisanship in the legislative process. This would require abandoning the former Speaker's penchant for bypassing House rules, the committee system, and other mechanisms of responsible legislative action, each of which provides Members collectively, and minority Members in particular, an opportunity to represent their constituents on an equal footing with every other Member.

The Republican leadership should finally, and forthrightly, meet its commitment to provide the minority with one-third of all committee resources—dollars, staff, and control. It has still not done so in this resolution. H. Res. 101, as amended in the Committee, fails the test of fairness and bipartisan cooperation, and deserves to be defeated.

STENY H. HOYER.
CHAKA FATTAH.
JIM DAVIS.

Congress of the United States
House of Representatives
Washington, DC 20515

March 30, 1993

The Honorable Lee H. Hamilton
Co-Chairman
The Honorable David Dreier
Co-Vice-Chairman
Joint Committee on the Organization of Congress
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Co-Chairman and Mr. Co-Vice-Chairman:

If congressional reform means anything, it means fairness to the Minority in allocation and control of resources. Reform without fairness is merely shuffling the cards in a marked deck.

There is no justification for the unfair disparity between Majority and Minority committee staff. Our colleagues in the Senate, under both Democratic and Republican majorities, have managed quite well with a staffing ratio of one-third/two-thirds. That, after all, is how we in the House apportion, by law, statutory staff.

The problem is that we do not so apportion investigative staff. We estimate that there are currently 947 investigative staff in the House, of which the Minority is allocated only 170, a mere 18 percent of the total. In past years, some have tried to justify that overwhelming disproportion by claiming the Minority could rely on the then-Republican Executive Branch to make up the difference. Whatever the accuracy of that argument then, it certainly no longer applies.

There are currently 175 Republicans serving in the House, more than 40 percent of total membership. Despite that, the Minority holds only 24 percent of total committee staff. Indeed, on several committees, the percentage is much lower than that. According to the Committee on House Administration, there are currently 1131 Majority committee staff and 367 Minority counterparts, exclusive of the expiring select committees, the Committee on Budget and the Committee on Appropriations. The situation on those last two committees is equally flagrant: the Budget Committee boasts 50 Majority and 10 Minority staff while the Appropriations Committee has a professional staff ratio of 95 to 10 and an associate staff ratio of 74 to 46.

A ratio of one-third/two-thirds for all committee staff, investigative as well as statutory, is a sine qua non for bridging the institutional animosities that now poison our policy debates. We therefore urge the Joint Committee on the

Attachment 1

Organization of Congress to recommend, in your final report, this more equitable allocation of resources.

We would welcome the opportunity, as a group, to present and expand upon these views in a public hearing of the Committee.

Sincerely yours,

Robert H. Michel
Minority Leader

Newt Gingrich
Minority Whip

Dick Armey
Conference Chairman

Henry J. Hyde
Policy Committee Chairman

Duncan Hunter
Research Committee Chairman

Bill McCollum
Conference Vice-Chairman

Tom DeLay
Conference Secretary

Bill Paxon
NRCC Chairman

Gerald B.H. Solomon
Ranking Republican
Committee on Rules

Bill Archer
Ranking Republican
Committee on Ways and Means

Joseph M. McDade
Ranking Republican
Committee on Appropriations

John R. Kasich
Ranking Republican
Committee on the Budget

The Honorable Lee H. Hamilton
The Honorable David Dreier
March 30, 1993
Page Three

Pat Roberts
Ranking Republican
Committee on Agriculture

Floyd Spence
Ranking Republican
Committee on Armed Services

Jim Leach
Ranking Republican
Committee on Banking, Finance
and Urban Affairs

Thomas J. Bliley
Ranking Republican
Committee on the District
of Columbia

William F. Goodling
Ranking Republican
Committee on Education and Labor

Carlos J. Moorhead
Ranking Republican
Committee on Energy and Commerce

Benjamin A. Gilman
Ranking Republican
Committee on Foreign Affairs
Operations

William F. Clinger, Jr.
Ranking Republican
Committee on Government

William M. Thomas
Ranking Republican
Committee on House Administration

Don Young
Ranking Republican
Committee on Natural Resources

Hamilton Fish, Jr.
Ranking Republican
Committee on the Judiciary

Jack Fields
Ranking Republican
Committee on Merchant Marine
and Fisheries

The Honorable Lee H. Hamilton
The Honorable David Dreier
March 30, 1993
Page Four

John T. Myers
Ranking Republican
Committee on Post Office
and Civil Service

Bud Shuster
Ranking Republican
Committee on Public Works
and Transportation

Robert S. Walker
Ranking Republican
Committee on Science, Space
and Technology

Jan Meyers
Ranking Republican
Committee on Small Business

Fred Grandy
Ranking Republican
Committee on Standards of
Official Conduct

Bob Stump
Ranking Republican
Committee on Veterans' Affairs

Larry Combest
Ranking Republican
Permanent Select Committee on Intelligence

Committee	Staff	106th Mark	Majority	Minority	Admin.*	GPO Staff[3]	GPO Actual[4]	% of Resources Allocated to the Minority
Agriculture	*33%*	50	31	15	4			33.3% of salary budget excluding administrative staff.
Armed Serives	Non-Partisan	60			60			
Banking and Financial Services[2]	*32%*	65	40	19	6			31.0% of total budget
Budget	*33%*	66	44	22				33.3% of salary budget
Commerce	*25%*	93	69	23			1	30.4% of total budget
Education and the Workforce	*31%*	87	60	27				
Government Reform	*30%*	127	77	33	16		1	28.0% of salary budget excluding administrative staff.
House Administration	*36%*	39	25	14				33.3% of total budet
Intelligence	*33%*	26	12	6	8			33.3% of salary budget excluding administrative staff
International Relations	*32%*	67	41	19	6		1	33.3% of salary budget excluding administrative staff
Judiciary	*29%*	77	48	20	7	2		30.0% of salary budget excluding administrative staff
Resources	*29%*	69	44	18	7			31.0% of salary budget excluding administrative staff
Rules	*31%*	36	24	11	1			33.3% of salary budget. Minority received 37% of non-personnel expenses in 105th Congress.
Science	*33%*	61	40	20		1		33.3% of salary budget
Small Business	*33%*	31	20	10		1		33.3% of salary budget
Standards of Official Conduct	Non-Partisan	13			13			
Transportation and Infrastructure	*33%*	84	55	27	1	1		33.3% of salary budget excluding administrative staff.
Veterans[2]	*32%*	34	23	11				33.3% of salary budget
Ways and Means	*31%*	68	40	18	10			34.4% of salary budget excluding administrative staff.
TOTAL	*31.1%*	1,153	693	313	139	5	3	

[1]Provide administrative support to both the majority and minority. Administrative staff are deducted from the staff ceiling.
The remaining positions are then divided between the majority and minority.

[2]Committees are within a fraction of a staff slot of being at 33%. If one more minority slot were added, these committees would exceed 33%.

This funding chart was provided to the minority by Chairman Thomas on 3/15/99