



U.S. SENATE REPUBLICAN POLICY COMMITTEE

Conference Report Highlights

September 29, 2009

**Highlights of the Conference Report to Accompany
H.R. 2918, the FY10 Legislative Branch
Appropriations Bill**

The Conference Report, H. Rept. 111-265, was filed on September 24, 2009.

Noteworthy

- The Conference Report to accompany H.R. 2918, the FY10 Legislative Branch Appropriations bill, appropriates \$4.656 billion, an increase of 5.8 percent over fiscal year (FY) 2009 non-emergency spending. The Senate receives \$926 million, an increase of 3.5 percent, and the House \$1.37 billion, an increase of 5.2 percent.
- House Members' Representational Allowances and expenses receive \$660 million, an increase of 8.4 percent over FY09. According to the House committee report, this is "to allow for compensation improvements beyond inflation for the staff of Member offices, especially among younger staff where current salaries are often less competitive."¹ Expense allowances for the Senate are flat, although salaries increase 4.2 percent.
- A continuing resolution is included in Division B, which provides appropriations for all agencies and activities that would be covered by the regular FY10 appropriations bills until October 31, 2009, or the enactment of the applicable regular appropriation bill, whichever comes first.
- The Census Bureau is funded at an annualized rate of \$7.1 billion to cover the cost of preparations for the 2010 census, an increase of \$3.87 billion over FY09.
- Section 164 reduces the required payment from the U.S. Postal Service to its Retiree Health Benefit Fund by \$4 billion, from \$5.4 billion to \$1.4 billion, to supplement the fund's losses.
- The Department of Veterans Affairs is funded at an annualized rate of \$44.3 billion, \$3.85 billion more than FY09, for medical services, medical support and compliance, and medical facilities related to the cost of treating veterans of the wars in Iraq and Afghanistan.
- The bill contains one earmark, for the Durham Museum Photo Archive Project in Nebraska.

¹ http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_reports&docid=f:hr160.111.pdf

Highlights

The conference report appropriates \$4.656 billion for the Legislative Branch, 5.8 percent more than the FY09 non-emergency enacted level, 7.7 percent less than the budget request, and one percent more than the Senate-passed legislation. Very few large deviations from the Senate-approved bill were included except for the Architect of the Capitol, which was increased 10 percent.

Significant increases from FY09 are highlighted below (all amounts thousands of dollars):

	FY09 Enacted	FY10 Request	FY10 House- passed	FY10 Senate- passed	FY10 Conference	Increase from FY09- FY10
House Office of Congressional Ethics	300	1,548	1,548	1,548	1,548	416.00%
Business Continuity and Disaster Recovery Emergency Appropriations	18,698	32,516	27,698	27,698	25,098	34.23%
Office of House Historian	519	597	597	597	597	15.03%
Office of the Sergeant at Arms	8,355	10,092	9,509	9,509	9,509	13.81%
Architect of the Capitol	529,586	644,609	541,391	545,889	601,586	13.60%
<i>House Office Buildings</i>	<i>65,814</i>	<i>111,926</i>	<i>100,466</i>	<i>100,466</i>	<i>100,466</i>	<i>52.65%</i>
<i>Capitol Police buildings and grounds</i>	<i>18,996</i>	<i>30,777</i>	<i>26,364</i>	<i>26,160</i>	<i>27,012</i>	<i>42.20%</i>
<i>Capitol Grounds</i>	<i>9,649</i>	<i>10,974</i>	<i>10,920</i>	<i>10,974</i>	<i>10,974</i>	<i>13.73%</i>
Office for Emergency Planning, Preparedness, and Operations	3,974	4,469	4,445	4,445	4,445	11.85%
Office of Interparliamentary Affairs	777	866	859	859	859	10.55%
Office of the Clerk	27,457	33,901	32,089	32,089	30,089	9.59%
Members' Representational Allowances	609,000	699,344	660,000	660,000	660,000	8.37%
Other Authorized Employees: Technical Assistants, Office of Attending Physician	1,158	1,320	1,249	1,249	1,249	7.86%
Office of Compliance	4,072	4,474	4,335	4,418	4,377	7.49%
Capitol Police (not including emergency appropriations)	305,750	410,069	325,112	331,557	328,318	7.38%

Bill Provisions

A complete summary of Division A of the bill, the Legislative Branch Appropriations Act, can be found in the tables at the end of this Notice.

The Continuing Resolution (CR) provides appropriations at FY09 levels for all agencies and activities that would be covered by the regular FY10 appropriations bills. The CR lasts until October 31, 2009, or the enactment of the applicable regular appropriation bill, whichever comes first. The CR provides for a straight extension of several authorized programs, including the National Flood Insurance program, the authority to guarantee loans by the Federal Housing Administration under Mutual Mortgage Fund Insurance and by Ginnie Mae, and the authority for the National Surface Transportation Board to make lease payments. It also extends surface transportation authorizations.

Section 164 reduces the required payment from the U.S. Postal Service to its Retiree Health Benefit Fund by \$4 billion, from \$5.4 billion to \$1.4 billion, to supplement the fund's losses. Although this shortfall is an ongoing problem, this measure provides relief to the Postal Service for this year alone. An identical provision was passed by the House as a stand-alone bill before being included in this continuing resolution. This provision may trigger a budget point of order or violate Rule XXVIII. A larger bill providing for more comprehensive reform, S. 1507, the Retiree Health Benefits Funding Reform Act of 2009, was reported out of the Senate Homeland Security and Government Affairs Committee on July 30.

House Members' Representational Allowances and expenses are appropriated \$660 million, 8.4 percent more than FY09. These funds may be used for official and representational expenses such as staff salaries, official expenses, and official mail.²

Section 115 of the supplemental provides that Section 14103 of the FY09 Supplemental (Pub. L. No. 111-32) shall continue in effect for the duration of the CR. This section of the Supplemental provided various restrictions on the use of funds to release or transfer Guantanamo detainees in the United States.

Possible Amendments

Conference reports are privileged matters and may not be amended on the floor. Motions to refer to committee are possible, although since the House acted first on this conference report motions to recommit are not allowed.³ Points of order on the budget and related to standing rule XXVIII of the Senate are possible.

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² http://cha.house.gov/members_representational_allowance.aspx

³ Martin B. Gold, *Senate Procedure and Practice*, Rowan & Littlefield Publishers Inc. 2004, page 27.

**Summary of Appropriations in the Conference Report to Accompany H.R. 2918, the FY10 Legislative Branch Appropriations Bill
(Amounts in Thousands)**

	FY09 Enacted	FY10 Request	FY10 House- Passed Bill	FY10 Senate- Passed Bill	FY10 Conference	Increase from FY09
Title 1: Legislative Branch Appropriations						
Senate	895,030	1,009,240	—	933,986	926,160	3.48%
<i>Payments—Heirs of Deceased Members of Congress</i>	0	0	—	0	174	—
<i>Expense Allowances and Representation</i>	210	210	—	210	210	0.00%
<i>Salaries, Officers, and Employees</i>	171,699	186,057	—	178,982	178,982	4.24%
<i>Office of Legislative Counsel</i>	6,743	7,154	—	7,154	7,154	6.10%
<i>Office of Legal Counsel</i>	1,484	1,544	—	1,544	1,544	4.04%
<i>Expense Allowances for Secretary of Senate, et al.</i>	30	30	—	30	30	0.00%
<i>Contingent Expenses (subtotal)</i>	714,864	814,245	—	746,066	738,066	3.25%
<i>Inquiries and Investigations</i>	137,400	172,989	—	145,500	140,500	2.26%
<i>Senate Intl. Narcotics Caucus</i>	520	520	—	520	520	0.00%
<i>Secretary of the Senate</i>	2,000	2,000	—	2,000	2,000	0.00%
<i>Sergeant at Arms/Doorkeeper</i>	153,601	168,461	—	153,601	153,601	0.00%
<i>Miscellaneous Items</i>	21,043	19,145	—	19,145	19,145	-9.02%
<i>Senators' Official Personnel and Office Expense Account</i>	400,000	450,830	—	425,000	422,000	5.50%
<i>Official Mail Costs</i>	300	300	—	300	300	0.00%
Total, Senate	895,030	1,009,240	—	933,986	926,160	3.48%

House of Representatives	1,301,267	1,497,055	1,375,300	1375200	1,369,025	5.21%
<i>Payments—Heirs of Deceased Members of Congress</i>	0	0	0	0	0	
Salaries and Expenses, Total	1,301,267	1,497,055	1,375,200	1,375,200	1,369,025	5.21%
<i>House Leadership Offices</i>	25,113	25,881	25,881	25,881	25,881	3.06%
<i>Members' Representational Allowances</i>	609,000	699,344	660,000	660,000	660,000	8.37%
<i>Committee Employees (subtotal)</i>	185,300	208,492	171,178	171,178	171,178	-7.62%
<i>Standing Committees, Special and Select, except Appropriations</i>	154,000	175,189	139,878	139,878	139,878	-9.17%
<i>Appropriations Committee</i>	31,300	33,303	31,300	31,300	31,300	0.00%
Salaries, Officers, and Employees (subtotal)	187,954	206,124	200,301	200,301	198,301	5.51%
<i>Office of the Clerk</i>	27,457	33,901	32,089	32,089	30,089	9.59%
<i>Office of the Sergeant at Arms</i>	8,355	10,092	9,509	9,509	9,509	13.81%
<i>Office of Chief Administrative Officer</i>	125,838	133,948	130,782	130,782	130,782	3.93%
<i>Office of Inspector General</i>	4,945	5,062	5,045	5,045	5,045	2.02%
<i>Office for Emergency Planning, Preparedness, and Operations</i>	3,974	4,469	4,445	4,445	4,445	11.85%
<i>Office of General Counsel</i>	1,357	1,431	1,415	1,415	1,415	4.27%
<i>Office of the Chaplain</i>	173	179	179	179	179	3.47%
<i>Office of the Parliamentarian</i>	2,007	2,060	2,060	2,060	2,060	2.64%
<i>Office of the Law Revision Counsel</i>	3,057	3,299	3,258	3,258	3,258	6.58%
<i>Office of the Legislative Counsel</i>	8,337	8,900	8,814	8,814	8,814	5.72%
<i>Office of Interparliamentary Affairs</i>	777	866	859	859	859	10.55%

<i>Other Authorized Employees:</i>						
<i>Technical Assistants, Office of</i>						
<i>Attending Physician</i>	1,158	1,320	1,249	1,249	1,249	7.86%
<i>Office of Historian</i>	519	597	597	597	597	15.03%
Allowances and Expenses						
(subtotal)	293,900	357,214	317,840	317,840	313,665	6.73%
<i>Supplies, Materials,</i>						
<i>Administrative Costs and</i>						
<i>Federal Tort Claims</i>	4,135	3,979	3,948	3,948	3,948	-4.52%
<i>Official Mail for committees,</i>						
<i>leadership, administrative and</i>						
<i>legislative offices</i>	201	201	201	201	201	0.00%
<i>Government Contributions</i>	260,703	302,776	278,378	278,378	276,703	6.14%
<i>Capitol Visitor Center</i>	1,900	—	—	—	—	
<i>Business Continuity and</i>						
<i>Disaster Recovery Emergency</i>						
<i>Appropriations</i>	18,698	32,516	27,698	27,698	25,098	34.23%
<i>Miscellaneous Items</i>	742	787	760	760	760	2.43%
<i>Transition Activities</i>	4,721	2,907	2,907	2,907	2,907	-38.42%
<i>Wounded Warrior program</i>	2,500	2,500	—	—	—	
<i>Energy demonstration projects</i>	—	10,000	2,500	2,500	2,500	
<i>Office of Congressional Ethics</i>	300	1,548	1,548	1,548	1,548	416.00%
Total, House of Representatives	1,301,267	1,497,055	1,375,300	1,375,300	1,369,025	5.21%
Joint Items	29,220	22,876	21,414	21,353	21,323	-27.03%
Capitol Police	377,356	410,069	325,112	331,557	328,318	-13.00%
<i>Salaries, Capitol Police</i>	248,000	268,675	263,198	267,203	265,188	6.93%
<i>General Expenses</i>	57,750	141,394	61,914	64,354	63,130	9.32%
<i>Emergency Appropriations</i>	71,606					-100.00%
Total, Capitol Police (not including						
emergency appropriations)	305,750	410,069	325,112	331,557	328,318	7.38%
Office of Compliance	4,072	4,474	4,335	4,418	4,377	7.49%

Congressional Budget Office	44,082	46,365	45,165	45,165	45,165	2.46%
Architect of the Capitol	529,586	644,609	541,391	545,889	601,586	13.60%
<i>General administration</i>	90,659	121,460	109,392	106,587	106,783	17.79%
<i>Capitol building</i>	35,840	33,305	32,800	33,305	33,182	-7.42%
<i>Capitol grounds</i>	9,649	10,974	10,920	10,974	10,974	13.73%
<i>Senate office buildings</i>	69,359	76,032	—	74,392	74,392	7.26%
<i>House of Representative buildings</i>						
<i>House office buildings</i>	65,814	111,926	100,466	100,466	100,466	52.65%
<i>House Historic buildings revitalization fund</i>	—	—	—	—	50,000	—
<i>Capitol power plant</i>	149,042	154,503	125,083	118,597	119,133	-20.07%
<i>Library buildings and grounds</i>	39,094	69,144	41,937	40,754	45,795	17.14%
<i>Capitol Police buildings and grounds</i>	18,996	30,777	26,364	26,160	27,012	42.20%
<i>Botanic garden</i>	10,906	11,920	11,263	11,898	11,390	4.44%
<i>Capitol Visitor Center</i>	40,227	24,568	23,166	22,756	22,459	-44.17%
<i>Historic buildings revitalization fund</i>	—	—	60,000	—	—	
Total, Architect of the Capitol	529,586	644,609	541,391	545,889	601,586	13.60%
Library of Congress, Including CRS	607,096	658,409	647,397	638,565	643,337	5.97%
<i>Congressional Research Service, Lib. of Cong.</i>	107,323	115,136	112,490	112,836	112,490	4.81%
Government Printing Office	140,567	166,307	146,207	146,989	147,461	4.90%
Government Accountability Office	531,000	567,497	558,849	553,658	556,849	4.87%
GAO Emergency Appropriations	71,606					-100.00%
Open World Leadership Center	13,900	14,456	9,000	14,456	12,000	-13.67%
Stennis Center for Public Service	430	430	430	430	430	0.00%
Title II: General Provisions	0	0	0	0	0	
Total Legislative Branch (Titles I and II)	4,402,000	5,041,787	3,674,500	4,611,666	4,656,031	5.77%