

October 7, 2020

RE: Further Improving the House Committee on Appropriations

Dear Representatives DeLauro, Kaptur, and Wasserman Schultz:

We write to commend you for releasing proposals to further strengthen the responsiveness, transparency, accountability, and effectiveness of the House Committee on Appropriations. We applaud your energetic campaigns and your continued service to our country.

The House Committee on Appropriations plays an essential role in our democracy, ensuring that funds flow to where they are most needed, agencies are held accountable for their spending, and our country is made stronger, more equitable, and more responsive to its citizens.

We closely follow the work of the Committee and wish to share recommendations for improving its operations. This is not an exclusive list of all the reforms that should be implemented, and we agree with many of the proposals you have put forward. Our recommendations focus on strengthening the ability of all Members of the House of Representatives to more deeply engage in the process and to facilitate public understanding of and engagement with the work of the Committee. We offer the following recommendations:

1. Provide staff designees to each appropriator
2. Restore funding for the Legislative branch
3. Make subcommittee prints more widely available
4. Improve tracking of reports requested by the Committee
5. Provide an electronic spreadsheet that shows spending by line item
6. Encourage public witness testimony
7. Improve tracking and publication of 302(b) numbers
8. Contemporaneously release the text of offered amendments

We further explain these items below. Thank you for your thoughtful consideration of our recommendations. Should you wish to discuss this further, please contact Daniel Schuman, policy director, Demand Progress, at daniel@demandprogress.org.

1. Assistance to Members

The House Appropriations Committee used to allow every Member of the Appropriations Committee to hire a staff designee¹ — an additional staffer who provided support to each Appropriator in their duties on the Committee. Starting in the 112th Congress, rank-and-file

¹ "Staff Designees on the House Appropriations Committee," Daniel Schuman, First Branch Forecast (August 12, 2016) <https://firstbranchforecast.com/2016/08/12/staff-designees-on-the-house-appropriations-committee/>.

Appropriators were permitted to have staff designees, but new members were not. However, Committee and Subcommittee Chairs are still permitted to have an additional staffer.

We recommend every member of the House Committee on Appropriations once again be permitted to choose a staff designee to support their work on the Committee. The Appropriations Committee workload is sufficiently onerous that Members should be afforded this additional support.

2. Restore funding to the legislative branch

The Legislative branch plays an integral role in our democracy, but for decades Congress has systematically underfunded congressional operations as compared to the rest of government. Over the last quarter-century, non-defense discretionary spending has increased at twice the rate (58%) as funding for the Legislative branch. Within the Legislative Branch, the lion's share of new funding has gone to police and infrastructure, with support for legislative, oversight, and constituent services left far behind. For FY 2020, the personal office MRA was set at \$615 million, but stood at \$726 million in FY 2010 (adjusted for inflation), which is a 15 percent reduction. Spending on Houses committees is down by \$115 million since FY 2010, a 25 percent reduction.

We recommend an immediate ten percent increase in the 302(b) funding level for the Legislative branch appropriations subcommittee, which would restore its funding levels to historical norms. However, historical norms are insufficient to address the aggregation of power and expertise to the Executive branch and the increased obligations placed upon the Legislative branch. Accordingly, we further recommend additional funding above this base-line to strengthen the Legislative branch as it engages in its legislative, oversight, and constituent service duties, as well as address its increased infrastructure and safety costs.

3. Subcommittee prints

Each appropriations subcommittee prepares a subcommittee print for each fiscal year, which is a report that explains the annual appropriations bill in significant detail. This document is far more detailed than the Committee reports that are made publicly available. Among other things, it explains the legislation line by line in exhaustive detail, includes spending tables going back at least a decade, and has detailed information on agency operations. The report usually has very limited circulation.

We recommend each appropriations subcommittee's "subcommittee print" for each fiscal year be provided to all members of the Appropriations committee upon request; and it should be made publicly available (with appropriate limitations for certain items) upon its completion or upon the chamber's adoption of the underlying measure.

4. Reports Requested by the Committee

Appropriators should improve how they track and manage reports. This will facilitate informed policy-making by making sure requested reports are received, support Congressional (and public) access to the reports, and ensure long-term preservation.

We recommend each appropriations subcommittee keep a list of all reports requested by the subcommittee in the Committee report accompanying each appropriations bill. That list should identify outstanding and submitted reports, and that list should be provided regularly to all members of the subcommittee. The full Committee should maintain a combined list of all reports requested in this fashion.

We further recommend that all reports be stored in an electronic format in a central archive that is jointly maintained by the majority and minority staff. The subcommittees should be encouraged to consult with an archivist or an electronic records management expert to ensure long-term access and preservation. Archived reports should be routinely made available to members of the subcommittee. In addition, reports should be routinely made available to members of the full committee upon request, and as appropriate to other members of the House.

To the extent appropriate, both the list of requested reports and copies of the submitted reports should be published online in a central database.

5. Line Item Spending

Appropriations bills can contain hundreds or thousands of line items. Traditionally, that information is published as prose (i.e., bill text). For such important decisions, it is important for Members, staff, and the public to understand how line items have changed over time.

We recommend that spending by line item be published as an electronic spreadsheet. At each stage where an appropriations bill is considered, the sub/committee should publish alongside the draft bill text an electronic spreadsheet that contains each line item — with current and historical spending levels for that item.

6. Public testimony

Public testimony can provide significant additional input into the legislative process and also lend it additional legitimacy. We recommend all appropriations subcommittees hold public witness testimony for each fiscal year. For subcommittees that attract overwhelming interest, an appropriate process should be established to allow for some in-person witnesses, and other stakeholders should continue to be permitted to submit written testimony.

7. Better track current and historical 302b numbers

It is important for Members of Congress to understand current and historical federal spending levels to understand how priorities have changed. Spending can be understood in part through

the lenses of 302(b) allocations to subcommittees, a breakdown of defense versus non-defense-spending, and regular spending versus emergency spending (such as Overseas Contingency Operations).

We recommend that the Appropriations Committee gather and publish this data online as a spreadsheet that contains current and historical spending levels. In particular, it should publish the 302(b) allocation by subcommittee and break those numbers down further (1) as defense versus non-defense spending; and (2) regular spending versus emergency spending.

8. Continue releasing the text of amendments as they are offered

During the FY 2021 funding cycle, the House Committee on Appropriations provided electronic notice of all amendments prior to consideration. We recommend the Committee continue this practice and release to the public all amendments considered by the Committee or subcommittee no later than the time they are being considered.

Sincerely,

Demand Progress

Center for Responsive Politics

Citizens for Responsibility and Ethics in Washington (CREW)

Government Accountability Project

Government Information Watch

GovTrack.us

Lincoln Network

Open The Government

Pay Our Interns

Project On Government Oversight

Protect Democracy

Public Citizen

R Street Institute

Taxpayers for Common Sense

Lorelei Kelly, Beeck Center for Social Impact + Innovation at Georgetown*

Michael Neblo, Ohio State University, Institute for Democratic Engagement and Accountability*

Kevin M. Esterling, Ph.D., University of California, Riverside*

** Affiliations listed for identification purposes only*