GOVERNMENT
Storage
Y 4
.R 86/2
Ex 7/2
973

Congress
Session } COMMITTEE PRINT

DOCUMENTS
FEB 5 1973
THE LIBRARY
KANSAS STATE UNIVERSITY

EXPENDITURE AUTHORIZATIONS
FOR SENATE COMMITTEES

Including Regulations for Procurement of Consultants and for Training of Professional Staff Members



January 3, 1973

Printed for the Use of the

Committee on Rules and Administration

United States Senate

U.S. GOVERNMENT PRINTING OFFICE
85-161 WASHINGTON : 1973

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

COMMITTEE ON RULES AND ADMINISTRATION

HOWARD W. CANNON, Nevada, *Acting Chairman*

CLAIBORNE PELL, Rhode Island
ROBERT C. BYRD, West Virginia
JAMES B. ALLEN, Alabama
_____ _____, _____

MARLOW W. COOK, Kentucky
HUGH SCOTT, Pennsylvania
ROBERT P. GRIFFIN, Michigan
_____ _____, _____

WILLIAM MCWHORTER COCHRANE, *Staff Director*
HUGH Q. ALEXANDER, *Chief Counsel*
BURKETT VAN KIRK, *Minority Counsel*
JOHN P. CODER, *Professional Staff Member*

PREFACE

This compilation is issued by the Committee on Rules and Administration to provide Senate committees with accurate and specific information on the statutory requirements for expenditure authorizations as they will obtain at the commencement of the Ninety-third Congress. Included are sample resolution and budget forms, regulations in respect to procurement of consultants and the training of professional staff members, and rates of compensation for staffs of Senate committees which, pursuant to the Order of the President pro tempore of December 16, 1972, are effective as of January 1, 1973.

Since every effort has been made to include sufficient details within the text of this document, I will stress here only the most important considerations in respect to expenditure authorizations which should be borne in mind by Members of the Senate and their committee personnel who will be involved with the procedure:

Fiscal year.—The fiscal year for expenditure authorizations will be the 12-month period from March 1, 1973, through February 28, 1974.

Submission date.—All annual expenditure-authorization resolutions for 1973 must be reported to the Senate not later than January 31, 1973. The only exception to this requirement would be in the unlikely event that committee members are not designated by January 20, 1973, in which case committees would have 30 days from the actual designation date to submit such resolutions.

Consultants and training.—Any committee desiring authority and funds to hire consultants or to train its professional staff must include appropriate language therefor in its annual resolution. In respect to consultants for a committee, it should be duly noted that the selection of the same must be done jointly by the chairman and the ranking minority member thereof. Also, the Rules Committee must receive five days' advance notice of the intention to appoint.

Budgets and supporting materials.—(1) Committee budgets should be prepared on the standard forms obtainable from the Rules Committee offices; (2) an original and legible duplicate of the budget and supporting letter should be submitted to the Rules Committee at the earliest possible date; and (3) the supporting letter should, when feasible, be signed jointly by the chairman and the ranking minority member.

Supplemental expenditure resolutions.—Committees should carefully note that supplemental resolutions must have an accompanying report expressing the reason the additional funds were not requested in the committee's annual resolution.

Increments to $10,000 per Congress.—Resolutions to obtain funds in addition to the $10,000 per Congress for routine purposes should be in the form prescribed in this compilation.

Select, special, and joint committees.—In respect to select and special committees of the Senate, and joint committees financed by the Senate, the Committee on Rules and Administration has determined that the procedures and regulations set forth in this document will apply to such committees where appropriate and feasible.

Once again I remind all Senate committee and subcommittee chairmen that if the Senate organizes promptly, the 1973 annual expenditure-authorization resolutions must be reported no later than January 31, 1973. Committees are urged to submit their budgets and supporting materials to the Rules Committee at the earliest possible date, since it is the Committee's intention to schedule these resolutions as its first order of business.

The cooperation of all involved Members and staff personnel in expediting this procedure will be deeply appreciated. If the Members or staff of the Committee on Rules and Administration can be of any assistance, please do not hesitate to call upon us.

HOWARD W. CANNON,
Acting Chairman, Committee on Rules and Administration.

CONTENTS

	Page
Preface	III
Annual expenditure authorizations	1
Statutory authority	1
Fiscal year for expenditure authorizations	2
Submission date for annual resolutions	2
Format of annual resolutions	2
Provision for consultants and staff training	2
Budgets and supporting materials	3
Provision for minority staff	3
Sample resolution forms:	
Form 1—Requesting additional funds solely for (1) the procurement of consultants and/or (2) the training of professional staff members	5
Form 2—Requesting a single funding for inquiries and investigations (with or without funds for consultants or training)	6
Form 3—Requesting multiple fundings for inquiries and investigations (with or without funds for consultants or training)	8
Sample budget form	10
Supplemental expenditure authorizations	11
Statutory authority	11
Accompanying report required	12
Format of supplemental resolutions	12
Sample resolution forms:	
Form 4—Requesting supplemental funds for same purposes expressed in annual authorization resolution (with or without funds for consultants or training)	13
Form 5—Requesting supplemental funds for a new inquiry (with or without funds for consultants or training)	14
Increments to $10,000 per Congress (for routine purposes)	15
Sample resolution form (*Form 6*)	17
Regulations governing procurement of consultants by Senate committees:	
Statutory authority	19
Definition of "consultant"	20
Prerequisite for procurement	20
Selection of consultants	20
Rules Committee responsibility	20
Methods of procurement	21
Appointment of individual consultants	21
Procurement of consultants by contract	22
Sample contracts	22
Fixed-fee product contract	23
Service contract	24
Training of professional staff:	
Statutory authority	25
Summary of essential requirements	26
Regulations issued by the Committee on Rules and Administration	27
Agreement on continued employment	29
Use of agency personnel by committees of the Senate (reimbursable services):	
Authority	31
Procedure	32
Permanent staffs of Senate committees:	
Appointment	33
Compensation	36

ANNUAL EXPENDITURE AUTHORIZATIONS

Standing committees of the Senate requiring funds in addition to the $10,000 per Congress authorized for each such committee by section 134(a) of the Legislative Reorganization Act of 1946 must request those additional funds (other than increments to that $10,000 per Congress, for routine purposes) pursuant to the procedure set forth in section 133(g) of the same Act. Essentially, the requirement is that the funds must be requested in the form of an *annual* expenditure-authorization resolution, and that the one resolution contain a specification of the amounts sought for each of the committee's subcommittees. Funds in addition to and for the same purposes as those obtained pursuant to an annual resolution, must be obtained by *supplemental* expenditure-authorization resolutions (see following chapter).

Statutory Authority

That portion of section 133(g) which relates only to annual resolutions is as follows:

Section 133(g) of the Legislative Reorganization Act of 1946 [1]

(2 U.S.C. 190a)

(g) Each standing committee of the Senate which, in any year beginning on or after January 1, 1971, requires authorization for the expenditure of funds in excess of the amount specified by section 134(a) of this Act shall offer one annual authorization resolution to procure such authorization. Each such annual authorization resolution shall include a specification of the amount of all such funds sought by such committee for expenditure by all subcommittees thereof during that year and the amount so sought for each such subcommittee. The annual authorization resolution of any such committee of the Senate for each year beginning on or after January 1, 1971, shall be offered not later than January 31 of that year, except that, whenever the designation of members of standing committees of the Senate occurs during the first session of any Congress at a date later than January 20, such resolution may be offered by any standing committee of the Senate at any time within thirty days after the date on which a majority of the members of such committee have been designated during that session. * * *

---

[1] As amended, Sec. 108(a) of Pub. Law 91-510, 84 Stat. 1148, Oct. 26, 1970.

Fiscal Year for Expenditure Authorizations

The fiscal year for expenditure authorizations for inquiries and investigations runs from March 1 through February (28) 29 of the succeeding year. This 12-month period, with an overlap of two months into a new calendar year, has been established by the Committee on Rules and Administration in order to give the Senate sufficient time at the commencement of each new session to accommodate the several steps in the required procedure. In 1971, at the commencement of the Ninety-second Congress, the former fiscal year, February 1 through January 31, was extended one additional month to a 13-month period to accomplish the more desirable present overlap of two months.

Submission Date for Annual Resolutions

Annual expenditure-authorization resolutions must be offered by Senate committees not later than January 31 of each year. The only exception obtains when during the first session of a Congress the designation of the members of standing committees occurs later than January 20. In such case the resolution must be offered within 30 days of the date on which a majority of the members of a committee have been designated.

Format of Annual Resolutions

In the composition of their annual resolutions, Senate standing committees are requested to follow, with any necessary modifications, one of three sample resolution forms reproduced at the end of this chapter.

Resolution Form 1.—This form is intended for use by a committee desiring additional funds only for the procurement of *consultants*, only for the *training of professional staff*, or only for *consultants and training*. (See page 5.)

Resolution Form 2.—This form is intended for use by a committee desiring a *single* funding for inquiries and investigations, with or without funds for consultants or training. If a committee submits this type of resolution, it will be assumed by the Committee on Rules and Administration that the funds sought will be used by the full committee in a general investigative capacity and that no funds are being requested for any of its specific subcommittees as such. (See page 6.)

Resolution Form 3.—This form is intended for use by a committee desiring a *multiple* funding for inquiries and investigations, with or without funds for consultants. (See page 8.)

Provision for Consultants and Staff Training

Committees anticipating the need for consultants or considering training for certain of their professional staff members should note that the authority and funds for those purposes must be expressed in the text of their annual or supplemental authorization resolutions. The sample resolution forms described above are designed to accommodate requests for additional funds for those purposes.

Committees which do seek funds for either or both of those purposes should note carefully the regulations on procurement of consultants (page 19) and on training of professional staff (page 25), which constitute separate chapters of this compilation.

Budgets and Supporting Materials

Senate committees offering annual expenditure resolutions are required to submit to the Committee on Rules and Administration accompanying budgets together with supporting material, in the form of letters or memorandums. All submissions should be in the form of an *original* copy and a *legible* duplicate.

Budgets.—The budgets should be prepared on standardized budget forms obtainable from the Rules Committee offices. The only change in the form this year is an increase in agency contributions for employees health benefit programs, from $19.42 to $22.03 per month per employee.

Supporting materials.—It is suggested by the Committee on Rules and Administration that, when feasible, supporting letters or memorandums be signed jointly by the *chairman and ranking minority member* of requesting committees.

Provision for Minority Staff

Minority participation in the appointment of temporary committee personnel pursuant to annual or supplemental resolutions is provided for in section 133(g) of the Legislative Reorganization Act of 1946, which includes the provision that "The minority shall receive fair consideration in the appointment of staff personnel pursuant to any such annual or supplemental resolution". This provision, which was added to section 133(g) by the Legislative Reorganization Act of 1970, eliminates the need for the continuance in such resolutions of the so-called "minority clause", which had been employed for several years.

85-161—72——2

Resolution Form 1

[Requesting additional funds solely for (1) the procurement of consultants and/or (2) the training of professional staff members]

____ CONGRESS
____ SESSION

S. RES. _____

IN THE SENATE OF THE UNITED STATES

Mr. ————————, from the Committee on ————————,
reported the following resolution; which was ————————

RESOLUTION

Authorizing additional expenditures by the Committee on ————————
———— for the procurement of consultants and the training of its professional staff.

Resolved, That the Committee on ———————— is authorized from March 1, 1973, through February 28, 1974, (1) to expend not to exceed $——(1)——for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) to expend not to exceed $——(2)—— for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act).

SEC. 2. Expenses of the committee under this resolution, which shall not exceed $——(3)——, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

---

[1] Insert amount for procurement of consultants.
[2] Insert amount for training of professional staff.
[3] Insert aggregate of amounts identified by footnote reference 1 (consultants) and footnote reference 2 (training) above.

Resolution Form 2

[Requesting a *single funding* for inquiries and investigations (with or without funds for consultants or training)]

____ CONGRESS
____ SESSION

S. RES. _____

IN THE SENATE OF THE UNITED STATES

Mr. _____, from the Committee on _____, reported the following resolution; which was _____

RESOLUTION

Authorizing additional expenditures by the Committee on _____ for inquiries and investigations.

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on _____, or any subcommittee thereof, is authorized from March 1, 1973, through February 28, 1974, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The expenses of the committee under this resolution shall not exceed $——(1)——, of which amount (1) not to exceed $——(2)—— shall be available for the procurement of the services of individual

---

[1] Insert total amount requested.
[2] Insert that portion (of total amount requested) for procurement of consultants.

consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $——([3])—— shall be available for the training of the professional staff of such committee, or any subcommittee thereof (under procedures specified by section 202(j) of such Act).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 1974.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

---

[3] Insert that portion (of total amount requested) for training of professional staff.

Resolution Form 3

[Requesting *multiple fundings* for inquiries and investigations (with or without funds for consultants or training)]

____ CONGRESS
____ SESSION

S. RES. _____

IN THE SENATE OF THE UNITED STATES

Mr. _____, from the Committee on _____, reported the following resolution; which was _____

RESOLUTION

Authorizing additional expenditures by the Committee on _____ for inquiries and investigations.

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on _____, or any subcommittee thereof, is authorized from March 1, 1973, through February 28, 1974, for the purposes stated and within the limitations imposed by the following sections, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

SEC. 2. The Committee on _____ is authorized from March 1, 1973, through February 28, 1974, (1) to expend not to exceed $——(1)—— for the procurement of the services of individual con-

---

[1] Insert amount for procurement of consultants for *full* committee only.

sultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) to expend not to exceed $——([2])—— for the training of the professional staff of such committee, or of any subcommittee thereof (under procedures specified by section 202(j) of such Act).

SEC. 3. The Committee on ————————, or any subcommittee thereof, is authorized from March 1, 1973, through February 28, 1974, to expend not to exceed $——([3])—— to examine, investigate, and make a complete study of any and all matters pertaining to each of the subjects set forth below in succeeding sections of this resolution, said funds to be allocated to the respective specific inquiries and to the procurement of the services of individual consultants or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended) in accordance with such succeeding sections of this resolution.

SEC. 4. Not to exceed $———— shall be available for a study or investigation of ————————, of which amount not to exceed $———— may be expended for the procurement of individual consultants or organizations thereof.

SEC. 5. Not to exceed $———— shall be available for a study or investigation of ————————, of which amount not to exceed $———— may be expended for the procurement of individual consultants or organizations thereof.

[Insert additional numbered sections as required. Renumber following sections accordingly.]

SEC. 6. The committee shall report its findings, together with such recommendations for legislation as it deems advisable with respect to each study or investigation for which expenditure is authorized by this resolution, to the Senate at the earliest practicable date, but not later than February 28, 1974.

SEC. 7. Expenses of the committee under this resolution, which shall not exceed in the aggregate $——([4])——, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

---

[2] Insert amount for training of professional staff of full committee *and* subcommittees.

[3] Insert aggregate of amounts for individual inquiries specified in succeeding sections.

[4] Insert total amount requested, which will be the aggregate of those identified by footnote references 1, 2, and 3.

BUDGET

S. Res. _____ _____ Congress

Committee: _____ Session

Total amount requested_____ $_____

Consultants for *full* committee [1]_____ $_____

Training of professional staff_____ $_____

Inquiries and investigations [2]_____ $_____

Section [3]_____

Subject: [4]

Total amount requested for this inquiry_____ $_____

Position	Number	Annual salary	Monthly salary	Total for period of budget
Investigative staff:				
Legal and investigative:				
General counsel or staff director		$	$	$
Chief counsel				
Special counsel				
Assistant chief counsel				
Assistant counsel				
Chief investigator				
Investigator				
_____				
Editorial and research:				
Editorial director				
Assistant director				
Research director				
Research assistant				
Staff member				
_____				
Administrative and clerical:				
Chief clerk				
Assistant chief clerk				
Assistant clerk (secretary to director)				
Assistant clerk (file)				
Assistant clerk (record)				
Assistant clerk (hearing)				
Stenographer				
Accountant				
Assistant accountant				
Bookkeeper				
_____				
Total investigative staff				
Consultants				
Administrative expenses:				
Agency contribution to:				
Employees health benefit programs ($22.03 per month per employee)				
Civil service retirement fund (7½ percent of total salaries paid)				
Federal employees group life insurance (30 cents per month per $1,000 coverage)				
Reimbursable payments to agencies				
Travel (inclusive of field investigations)				
Hearings (inclusive of reporters' fees)				
Witness fees, expenses				
Stationery, office supplies				
Communications (telephone, telegraph)				
Newspapers, magazines, documents				
Contingent fund				
_____				
Total administrative expenses				

[1] Do not include any amounts allocated for subcommittee consultants.
Insert total of all funds requested for inquiries and investigations.
[3] Insert applicable section number of resolution.
[4] If a **single** funding is requested, insert "General". If **multiple** fundings are requested, insert the subject of the specific inquiry and provide the information requested in this portion of the form for each individuali nquiry.

SUPPLEMENTAL EXPENDITURE AUTHORIZATIONS

Any standing committees of the Senate requiring funds in addition to those authorized in their annual expenditure-authorization resolutions may request such additional funds pursuant to the procedure set forth in section 133(g) of the Legislative Reorganization Act of 1946. Essentially, a supplemental expenditure authorization must be in the form of a resolution amending an annual expenditure-authorization resolution (unless the committee has no such annual resolution), and must be accompanied by a report stating why the funds now sought were not included in the committee's annual request.

Statutory Authority

That portion of section 133(g) which relates to supplemental expenditure authorizations is as follows:

SECTION 133(g) OF THE LEGISLATIVE REORGANIZATION ACT OF 1946 [1]

(2 U.S.C. 190a)

(g) * * * After the date on which an annual authorization resolution has been offered by any such committee in any year, or the last date on which such committee pursuant to the preceding sentence may offer such a resolution, whichever date occurs earlier, such committee in any year may procure authorization for the expenditure of funds in excess of the amount specified by section 134(a) of this Act only by offering a supplemental authorization resolution. Each such supplemental authorization resolution shall include a specification of the amount of all supplemental funds sought by that committee for expenditure by all subcommittees thereof under such resolution and the amount so sought for each such subcommittee. Each such supplemental authorization resolution shall amend the annual authorization resolution of such committee for that year unless the committee offered no annual authorization resolution for that year, in which case the committee's supplemental authorization resolution shall not be an amendment to any other resolution and any subsequent supplemental authorization resolution of such committee for the same year shall amend the first such resolution offered by the committee for that year. Each such supplemental resolution reported by such committee shall be accompanied by a

[1] As amended, Sec. 108(a) of Pub. Law 91-510, 84 Stat. 1148, Oct. 26, 1970.

85-161—72——3

report to the Senate specifying with particularity the purpose for which such authorization is sought and the reason why such authorization could not have been sought at the time of, or within the period provided for, the submission by such committee of an annual authorization resolution for that year.[2] * * *

---

[2] As amended, Sec. 3(a) of Pub. Law 92–136, 85 Stat. 377, Oct. 11, 1971.

Accompanying Report Required

Senate committees intending to offer supplemental expenditure-authorization resolutions should note carefully that they must comply with the following requirements stipulated in section 133(g):

(1) Each supplemental resolution reported by a committee must be accompanied by a report to the Senate; and

(2) Each such report must specify with particularity the *purpose* for which the authorization is sought, and the *reason* it was not sought in the committee's annual authorization resolution.

Format of Supplemental Resolutions

In the composition of supplemental resolutions, Senate standing committees are requested to follow, with any necessary modifications, one or the other of the two sample resolution forms (Resolution Forms 4 and 5) which follow:

FOOTNOTES FOR RESOLUTION FORM 4

[1] This clause is to be used by a committee using resolution Form 1 which did not include any funding for professional staff training, and the committee now desires to request such funding.

[2] This clause is to be used by a committee using resolution Form 2 or 3 which did not include any funding for professional staff training, and the committee now desires to request such funding.

[3] This clause is to be used only to increase funding for the committee, to increase the amount that the committee may expend for professional staff training, or to increase the funding for each subcommittee. A separate strike-out clause should be used to increase the funding of each subcommittee.

[4] This clause is to be used for each increase in the funding of each subcommittee *and* to increase the amount that subcommittee may expend for consultants.

[5] This clause is to be used for each increase in the funding of each subcommittee *and* to authorize the subcommittee to expend funds for consultants if the subcommittee had not received such authorization in any prior resolution for the same year.

[6] This clause is to be used by a committee having a multiple funding to amend the last section of its funding resolution to reflect the new aggregate amount which *that* committee and all of its subcommittees are authorized to expend.

*Funds for training are obtainable by resolution for the use of full committees only.

Resolution Form 4

[Requesting supplemental funds for same purposes expressed in annual authorization resolution (with or without funds for consultants or training*)]

____ CONGRESS
____ SESSION

S. RES. _____

IN THE SENATE OF THE UNITED STATES

Mr. ————————, from the Committee on ————————, reported the following resolution; which was ————————

RESOLUTION

Authorizing supplemental expenditures by the Committee on ———— ———— (for an inquiry and investigation relating to ———— ————) (for inquiries and investigations).

Resolved, That Senate Resolution ———, ———— Congress, agreed to ————————, 19—, is amended as follows:

[Use the following clauses as appropriate and number accordingly]

( ) In the first section, before the period, insert a comma and the following: "and (2) to expend not to exceed $———— for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act)." [1]

( ) In section 2, before the period, insert a comma and the following: "and (2) to expend not to exceed $———— for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act)." [2]

( ) In section ——, strike out the amount "$————" and insert in lieu thereof "$————". [3]

( ) In section ——, strike out the amounts "$————" and "$————" and insert in lieu thereof "$————" and "$———— ————", respectively. [4]

( ) In section —— —

(A) strike out the amount "$————" and insert in lieu thereof "$————"; and

(B) insert before the period at the end thereof a comma and the following: "of which amount not to exceed $———— may be expended for the procurement of individual consultants or organizations thereof". [5]

( ) In section ——, strike out the amount "$————" and insert in lieu thereof "$————". [6]

See footnotes on preceding page.

Resolution Form 5

[Requesting supplemental funds for a new inquiry (with or without funds for consultants or training*)]

____ CONGRESS
____ SESSION

S. RES. _____

IN THE SENATE OF THE UNITED STATES

Mr. _____, from the Committee on _____, reported the following resolution; which was _____

RESOLUTION

Authorizing supplemental expenditures by the Committee on _____ for an inquiry and investigation relating to _____.

Resolved, That Senate Resolution _____, _____ Congress, agreed to _____ ____, 19—, is amended as follows:

(1) Sections ____ and ____ are redesignated as sections ____ and ____, respectively.[1]

(2) Insert after section ____ the following new section:

SEC. ____. From the date the resolution adding this section is agreed to through February ____, 19—, not to exceed $_____ shall be available for a study or investigation of _____, of which amount not to exceed $_____ may be expended for the procurement of individual consultants or organizations thereof.[2]

(3) In section ____, as redesignated by clause (1) of this resolution, strike out the amount "$_____" and insert in lieu thereof "$_____".[3]

---

[1] Clause (1) of the resolution redesignates the last 2 sections of the committee's multiple funding resolution, relating to reporting and aggregate committee expenditures, by giving those sections higher numbers as determined by the number of new subcommittee fundings to be inserted before these last 2 sections.

[2] This new section provides for an additional inquiry or investigation and is to be inserted after the last subcommittee investigation authorized by previous committee resolutions.

[3] This clause is to be used to amend the last section of the committee's funding resolution, as redesignated, to reflect the new aggregate amount which the committee and all of its subcommittees are authorized to expend.

*Funds for training are obtainable by resolution for the use of full committees only.

INCREMENTS TO $10,000 PER CONGRESS (FOR ROUTINE PURPOSES)

Section 134(a) of the Legislative Reorganization Act of 1946 authorizes each standing committee of the Senate to expend not to exceed $10,000 during each Congress for the routine purposes expressed in that section. The text of section 134(a) is as follows:

SECTION 134(a) OF THE LEGISLATIVE REORGANIZATION ACT OF 1946

(2 U.S.C. 190b)

SEC. 134. (a) Each standing committee [1] of the Senate, including any subcommittee of any such committee, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to take such testimony and to make such expenditures (not in excess of $10,000 for each committee during any Congress) as it deems advisable. Each such committee may make investigations into any matter within its jurisdiction, may report such hearings as may be had by it, and may employ stenographic assistance at a cost not exceeding 25 cents per hundred words.[2] The expenses of the committee shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

---

[1] The provisions of 134(a) were made applicable to the Select Committee on Small Business by Pub. Law 759 of the 81st Cong. (64 Stat. 597, Sept. 6, 1950).

[2] Compensation for stenographic assistance is now set by the Committee on Rules and Administration pursuant to the Act of June 27, 1956 (70 Stat. 360; 2 U.S.C. 68c).

Prior to 1971 it had been the practice in the Senate for standing committees to obtain needed increments to their $10,000 per Congress for routine expenditures by means of simple resolutions agreed to by the Senate.

Effective January 3, 1971, however, such procedure was precluded by an amendment to section 133(g) of the Legislative Reorganization Act of 1946 (by section 108(a) of the 1970 Act), which limited any additional funds obtainable by Senate committees to annual expenditure authorizations or supplemental authorizations thereto. As a consequence, from the commencement of the Ninety-second Congress

through October 11, 1971, the Committee on Rules and Administration was required to report out any requests (it approved) for funds in addition to the statutory $10,000 per Congress in the form of supplemental expenditure-authorization resolutions.

Since that temporary expedient was obviously unacceptable for continued use, the Committee on Rules and Administration recommended and was successful in obtaining an amendment to section 133 (g) of the Legislative Reorganization Act of 1946 which exempts routine-funds resolutions from the above-mentioned restriction. The text of that amendment, added by section 3(b) of Public Law 92–136 (85 Stat. 377, Oct. 11, 1971), is as follows:

SECTION 133(g) OF THE LEGISLATIVE REORGANIZATION ACT OF 1946

(2 U.S.C. 190a)

(g) * * * This subsection shall not apply to any resolution requesting funds in addition to the amount specified in such section 134(a) and which are to be expended only for the same purposes for which such amount may be expended.[1]

[1] As added, Sec. 3(b) of Pub. Law 92–136, 85 Stat. 377, Oct. 11, 1971.

Accordingly, requests by standing committees for funds incrementing their $10,000 allotment per Congress may now once again be in the form customarily used. A sample resolution (Resolution Form 6) for that purpose follows:

Resolution Form 6

[Requesting increment to $10,000 per Congress (for routine purposes)]

____ CONGRESS
____ SESSION

S. RES. _____

IN THE SENATE OF THE UNITED STATES

Mr. ————————, from the Committee on ————————,
reported the following resolution; which was ————————

RESOLUTION

Authorizing additional expenditures by the Committee on ———————— for routine purposes.

Resolved, That the Committee on ———————— is authorized to expend from the contingent fund of the Senate, during the ———————— Congress, $———————— in addition to the amount, and for the same purposes, specified in section 134(a) of the Legislative Reorganization Act of 1946.

[Use the following form for second and subsequent increments within a Congress]

Resolved, That the Committee on ———————— is authorized to expend from the contingent fund of the Senate, during the ———————— Congress, $———————— in addition to the amount, and for the same purposes, specified in section 134(a) of the Legislative Reorganization Act of 1946, and in Senate Resolution ———, ———————— Congress, agreed to ————————, 19—.

REGULATIONS GOVERNING PROCUREMENT OF CONSULTANTS BY SENATE COMMITTEES

(Restatement of Policy Determinations by the Committee on Rules and Administration)

Statutory Authority

The procedures and conditions under which standing committees of the Senate may procure the services of individual consultants or organizations thereof are set forth in section 202(i) of the Legislative Reorganization Act of 1946, the text of which is as follows:

Section 202(i) of the Legislative Reorganization Act of 1946

(2 U.S.C. 72a)

(i)(1) Each standing committee of the Senate or House of Representatives is authorized, with the approval of the Committee on Rules and Administration in the case of standing committees of the Senate, or the Committee on House Administration in the case of standing committees of the House of Representatives, within the limits of funds made available from the contingent funds of the respective Houses pursuant to resolutions, which shall specify the maximum amounts which may be used for such purpose, approved by such respective Houses, to procure the temporary services (not in excess of one year) or intermittent services of individual consultants, or organizations thereof, to make studies or advise the committee with respect to any matter within its jurisdiction.

(2) Such services in the case of individuals or organizations may be procured by contract as independent contractors, or in the case of individuals by employment at daily rates of compensation not in excess of the per diem equivalent to the highest gross rate of compensation which may be paid to a regular employee of the committee. Such contracts shall not be subject to the provisions of section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law requiring advertising.

(3) With respect to the standing committees of the Senate, any such consultant or organization shall be selected by the chairman and ranking minority member of the committee,

acting jointly. With respect to the standing committes of the House of Representatives, the standing committee concerned shall select any such consultant or organization. The committee shall submit to the Committee on Rules and Administration in the case of standing committees of the Senate, and the Committee on House Administration in the case of standing committees of the House of Representatives, information bearing on the qualifications of each consultant whose services are procured pursuant to this subsection, including organizations, and such information shall be retained by that committee and shall be made available for public inspection upon request.[1]

---

[1] As added, Sec. 303 of Pub. Law 91–510, 84 Stat. 1179, Oct. 26, 1970.

Definition of "Consultant"

For the purposes of section 202(i), the term "consultant" shall be deemed to be a person (or an organization of persons) possessing the necessary professional qualifications and experience to assist a Senate committee in specialized areas of its legislative responsibility.

Prerequisite for Procurement

Any Senate committee desiring to procure the services of individual consultants or of organizations thereof must first seek and obtain the required authority therefor by including within its annual or supplemental expenditure-authorization resolution an express limitation on the amount of the committee's total funding in such resolution which may be used for that purpose. A committee may not exceed that limitation for the procurement of consultants, but it may utilize unexpended funds within that limitation for other authorized purposes.

Selection of Consultants

Paragraph (3) of section 202(i) contains the stipulation that "any such consultant or organization shall be selected by the chairman and ranking minority member of the committee, acting jointly". Senate committees are requested to indicate their compliance with the above provision of law by providing that any required correspondence with the Committee on Rules and Administration (see below) be in the form of letters signed jointly by the chairman and ranking minority member.

Rules Committee Responsibility

Section 202(i) also requires (1) that Senate committees desiring to appoint individual consultants to committee payrolls or to procure the

services of individuals or organizations by contract as independent contractors must provide the Committee on Rules and Administration information bearing on the qualifications of each consultant or contractor; and (2) that such information be retained by the Committee on Rules and Administration and made available for public inspection upon request.

Methods of Procurement

Any Senate committee possessing the required authority therefor may procure the services of consultants—

(1) by appointing individual consultants as temporary committee employees (at daily rates of compensation not exceeding the highest such rate which may be paid to a regular committee employee); or

(2) by entering into contracts—

(a) between the full committee and individual consultants (for an amount for services not exceeding the highest amount which may be paid in compensation to a regular committee employee for the same period of time involved in the contract), or

(b) between the full committee and organizations of consultants.

Appointment of Individual Consultants

The notification of the committee's intention to appoint an individual consultant to its staff and the information concerning the qualifications of the proposed consultant must be received by the Committee on Rules and Administration *five days in advance* of the appointment date. If during that period the requesting committee receives no notice of disapproval from the Rules Committee, the appointment shall be deemed approved.

Requests to the Committee on Rules and Administration for such approval may be expressed as in the following sample letter:

Honorable ————————,
Chairman, Committee on Rules and Administration,
Room 305, Russell Office Building, Washington, D.C. 20510

Dear Mr. Chairman:

In conformity with section 202(i) of the Legislative Reorganization Act of 1946, as amended, and your regulations pursuant thereto, we are notifying you herewith of the intention (of the Subcommittee on ————————) of the Committee on ———————— to appoint ———————— ———————— as a consultant, effective ————

_____, and enclose the required information in respect to his qualifications.

This appointment is made under the authority of S. Res. ____ (Section No. ____), agreed to _____.

Sincerely yours,

_____,
Chairman.

_____,
Ranking Minority Member.

A copy of such letter should be addressed to the Financial Clerk of the Senate for his information at the same time the request is submitted to the Committee on Rules and Administration.

Procurement of Consultants by Contract

Information concerning the qualifications of individual consultants or organizations thereof intended to be engaged by contract must likewise be supplied to the Committee on Rules and Administration, and should be submitted at the same time the contract itself is sent for approval.

Letters requesting approval of contracts should be signed jointly by the chairman and ranking minority member of the contracting committee and should include the original of the contract (signed by the chairman of the requesting committee and the intended contractor) and at least one copy of the contract for the files of the Committee on Rules and Administration.

Contracts (and consultants' qualifications) should be received sufficiently in advance of the contract's effective date to permit appropriate consideration at a regular meeting of the full Committee on Rules and Administration. When contracts are approved, notice thereof will be given in writing, pursuant to the established practice. Approval of a contract will be deemed to include approval of a consultant's qualifications.

Sample Contracts

The following samples of a *fixed-fee contract* and a *service contract* are included here to indicate in a general way the type of contract which would be acceptable for the above purpose. In most instances, of course, a form would have to be adapted to the specific needs of a particular committee.

FIXED-FEE PRODUCT CONTRACT

CONTRACT AGREEMENT

THIS AGREEMENT made and entered into this —— day of ————, 19—, by and between the Committee on ———————— of the United States Senate, hereinafter referred to as the "Committee", and ———————— ————————, hereinafter referred to as the "Contractor".

It is hereby agreed that the Committee, under authority of Senate Resolution ——, approved ———— ——, 19—, ———— Congress, retains the Contractor to furnish the Committee the following:

A study ————————————————————————————————————

————————————————————————————————————

————————————————————————————————————

————————————————————————————————————.

————————————————————————————————————

The Committee agrees to pay the said Contractor the sum of $———— to be paid upon delivery to the Committee, not later than ———— ——, 19—, of the completed study in form and content satisfactory to the Committee. It is understood, however, that the Chairman of the Committee reserves the right to terminate this agreement at any time.

The Contractor further agrees and warrants that he: (1) has not employed any person to solicit or obtain this agreement for any commission, percentage, brokerage, or contingent fee; (2) will save the Government harmless from any liability arising under the performance of this contract; (3) will release no information obtained in carrying out the provisions of this contract without prior consent of the Committee; (4) will not subcontract or assign elsewhere any of the work or services involved without prior consent of the Committee; and (5) will fully complete the above described manuscript no later than ———— ——, 19—, provided, however, that such date may be extended by mutual arrangement of the parties to this agreement, and with the approval of the Committee on Rules and Administration of the United States Senate.

No Member or Delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of this contract or to any benefit that may arise therefrom.

Committee on ————————————

————————————

Chairman

————————————

Ranking Minority Member

————————————

Contractor

By: ————————————

Approved by the Committee on Rules and Administration of the United States Senate.

————————————

Chairman

SERVICE CONTRACT

CONTRACT AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 19___, by and between the Committee on _____ of the United States Senate, hereinafter referred to as the Committee, and the firm of _____, hereinafter referred to as the Contractor, subject to the approval of this Agreement by the Committee on Rules and Administration of the United States Senate.

It is hereby agreed that the Committee under authority of Senate Resolution _____, approved _____ _____, 19___, _____ Congress, retain the Contractor to render the following specialized services: _____

_____

_____

_____

_____

_____. It is understood, however, that the Chairman of the Committee reserves the right to terminate this Agreement at any time. In such cases, the payment shall be based upon the work performed.

The Committee further agrees to pay the said Contractor for all such contractual services rendered and expenses incurred in connection therewith, a sum not to exceed $_____. Such reimbursement to the Contractor shall be paid from time to time on Committee vouchers upon receipt of statements with supporting data for all expenses incurred, and the contracting Committee's judgment shall be final and conclusive with respect to the validity of claims for reimbursement of such expenses, subject, however, to the general authority of the said Committee on Rules and Administration.

The Contractor further agrees and warrants that it:

1. Has not employed any person to solicit or obtain this Agreement for any commission, percentage, brokerage or contingent fee;
2. Will save the Government harmless from liability in performance;
3. Will release no information obtained in carrying out the provisions of the contract without prior consent of the contracting Committee;
4. Will not subcontract or assign elsewhere any of the work or service involved without prior consent of the contracting Committee; and
5. Will not discriminate in its performance of this Agreement because of race, creed, color, or national origin and shall comply with all laws appertaining to the compensation of labor.

The Contractor further agrees and warrants that it will fully complete its services to the Committee hereunder not later than _____ _____, 19___, unless said date shall be extended by mutual agreement of the parties to this Agreement, and with the approval of the said Committee on Rules and Administration.

No Member or Delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of this contract or to any benefit that may arise therefrom.

Committee on _____

_____
Chairman

_____
Ranking Minority Member

_____
Contractor

By: _____

Approved by the Committee on Rules and Administration of the United States Senate.

_____
Chairman

TRAINING OF PROFESSIONAL STAFF

Statutory Authority

Authority for the training of professional staff personnel of standing committees of the Senate is contained in section 202(j) of the Legislative Reorganization Act of 1946. The text of section 202(j) is as follows:

SECTION 202(j) OF THE LEGISLATIVE REORGANIZATION ACT OF 1946

(2 U.S.C. 72a)

(j)(1) Each standing committee of the Senate or House of Representatives is authorized, with the approval of the Committee on Rules and Administration in the case of standing committees of the Senate, and the Committee on House Administration in the case of standing committees of the House of Representatives, and within the limits of funds made available from the contingent funds of the respective Houses pursuant to resolutions, which shall specify the maximum amounts which may be used for such purpose, approved by such respective Houses, to provide assistance for members of its professional staff in obtaining specialized training, whenever that committee determines that such training will aid the committee in the discharge of its responsibilities. Any joint committee of the Congress whose expenses are paid out of funds disbursed by the Secretary of the Senate or by the Clerk of the House, the Committee on Appropriations of the Senate, and the Majority Policy Committee and Minority Policy Committee of the Senate are each authorized to expend, for the purpose of providing assistance in accordance with paragraphs (2), (3), and (4) of this subsection for members of its staff in obtaining such training, any part of amounts appropriated to that committee.[1]

(2) Such assistance may be in the form of continuance of pay during periods of training or grants of funds to pay tuition, fees, or such other expenses of training, or both, as may be approved by the Committee on Rules and Administration or the Committee on House Administration, as the case may be.

---

[1] As added, Sec. 5(b) of Pub. Law 92-136, 85 Stat. 378, Oct. 11, 1971.

(3) A committee providing assistance under this subsection shall obtain from any employee receiving such assistance such agreement with respect to continued employment with the committee as the committee may deem necessary to assure that it will receive the benefits of such employee's services upon completion of his training.

(4) During any period for which an employee is separated from employment with a committee for the purpose of undergoing training under this subsection, such employee shall be considered to have performed service (in a nonpay status) as an employee of the committee at the rate of compensation received immediately prior to commencing such training (including any increases in compensation provided by law during the period of training) for the purposes of—

(A) subchapter III (relating to civil service retirement) of chapter 83 of title 5, United States Code,

(B) chapter 87 (relating to Federal employees group life insurance) of title 5, United States Code, and

(C) chapter 89 (relating to Federal employees group health insurance) of title 5, United States Code.[2]

---

[2] As added, Sec. 304 of Pub. Law 91–510, 84 Stat. 1180, Oct. 26, 1970.

Summary of Essential Requirements

While the provisions of section 202(j) and the regulations issued pursuant thereto by the Committee on Rules and Administration are deemed quite explicit, Senate committees desiring specialized training for any of their professional staff members should especially note the following observations:

(1) As is the case in respect to consultants, committees desiring authority and funds for the training of their professional staffs must include a specific allotment for the same in their annual or supplemental expenditure-authorization resolutions.

(2) That portion of the committee's total funds which is allotted for training may not be exceeded for that purpose. A committee is not precluded, however, from expending funds from that allotment for other authorized purposes.

(3) Approval by the Senate of a resolution containing such a training allotment, however, does not complete the requirements. Specific requests, on an individual basis and in conformity with the regulations which follow below, must be submitted to the Committee on Rules and Administration for final approval.

(4) While the Legislative Reorganization Act of 1970 limited the training privilege to standing committees (except Appropriations), Public Law 92–136 (85 Stat. 378, Oct. 11, 1971) has extended the same privilege to joint committees, to the Senate Appropriations Committee, and to the Senate Majority and Minority Policy Committees.

(5) In respect to funds for training, the Committee on Rules and Administration has determined that such funds shall be allotted in expenditure-authorization resolutions only for the use of full committees. This stipulation, however, would not preclude a full com-

mittee from requesting and receiving approval from the Committee on Rules and Administration for the training of a professional staff member on one of its subcommittee payrolls.

The regulations issued by the Committee on Rules and Administration in respect to training of professional staff members of Senate committees, including a sample form for the required "Agreement on Continued Employment", are as follows:

Regulations Governing Training of Professional Staff Personnel of Senate Committees

'(Adopted by the Committee on Rules and Administration on October 20, 1971)

Section 202(j) of the Legislative Reorganization Act of 1946, as amended by section 304 of Public Law 91–510, approved October 26, 1970, provides for the expenditure of funds available to standing committees of the Senate for the specialized training of professional staff personnel under certain conditions enumerated therein, including the approval of the Committee on Rules and Administration.

The Committee on Rules and Administration has determined that attendance at conferences, seminars, or briefings by authorized professional staff personnel will not be considered as training under the statutory provisions of section 202(j) when the following conditions apply:

1. The sponsoring organization has been requested to waive or reduce the attendance or registration fee for Government participation;
2. The fee involved (actual or reduced) is not in excess of $100.00; and
3. The duration of the meeting does not exceed five days.

When all three of the above limitations are met, fees and traveling expenses involved may be incurred by authorized standing committees without specific advance approval of the Committee on Rules and Administration. A fee or time duration for meetings in excess of the aforementioned must be approved in advance by the Committee on Rules and Administration at which time that Committee will determine the classification of the proposed charges as either "training" which requires compliance with all of the provisions of section 202 (j), or "non-training".

Under the authority granted to it to supervise staff training, the Committee on Rules and Administration has adopted the following definitions:

1. *Training*

Training means the process of providing for and making available to an employee, and placing or enrolling the employee in, a planned, prepared, and coordinated program, course, curriculum, subject, system, or routine of instruction or education, in scientific, professional, or technical fields which are or will be directly related to the performance by the employee of official duties for the Senate, in order

to increase the knowledge, proficiency, ability, skill, and qualifications of the employee in the performance of official duties.

2. *Training Expenses*

The following will be considered as "Training Expenses":

(*a*) Compensation paid an employee during training periods in excess of 15 days. (Excludes the compensation cost involved in seminar attendance within the two-week range. In these cases, the training expense would be the fees involved and travel expenses incurred, which would be processed on one voucher.)

(*b*) Travel expenses incurred in direct connection with training.

(*c*) Tuition, matriculation and other required fees incident thereto.

(*d*) Such other direct expenses as may be necessary and as approved by the Committee on Rules and Administration.

(*e*) Fund grants, in lieu of actual expenses, as approved by the Committee on Rules and Administration.

The following stipulations shall obtain in respect to agreements on continued employment (section 202(j)(3)):

1. Each request for approval of a training authorization of more than 15 days duration shall be accompanied by a copy of the agreement specifying a continued employment after training period, as required by section 202(j)(3), signed by the employee; and

2. Each such agreement shall contain a warranty by said employee that a repayment of the training expenditure (excluding compensation) on a pro rata basis commensurate with the unexpired portion of the specified continuous employment period will be made by said employee should he leave the government service prior to the full discharge of his obligation under said agreement. The Committee on Rules and Administration shall be notified immediately of any instance of default.

(A sample form which may be used for such agreements on continued employment is included at the end of these regulations.)

The separation of an employee from a committee for a limited and specified period for the purpose of training, but continuing that employee's benefits as specified by section 202(j)(4), shall also require advance approval of the Committee on Rules and Administration.

A committee desiring to provide assistance for the specialized training of one or more of its professional staff shall submit its request, in writing, to the Committee on Rules and Administration sufficiently in advance of the proposed training date to allow ample time for decision and reply. The requests shall contain complete explanatory details and comply strictly with the requirements of section 202(j) and these regulations.

AGREEMENT ON CONTINUED EMPLOYMENT

This agreement is made and executed this —— day of ————————, 19—, in Washington, D.C., between the ———— Committee on ———————— of the United States Senate (hereafter referred to as the "Committee") and ———————— (hereafter referred to as the "Employee"). The Committee and the Employee mutually agree as follows:

1. The Committee agrees to pay the following expenses of the Employee related to training received by him while enrolled in ————————————————————————————————————— at ———————— during the period from ———————— through ————————:

(1)
(2)
(3)
(4)
(5)

2. The Employee agrees to continue in the employment of the Committee for a period of ———————— commencing after the Employee completes his training referred to in paragraph 1 of this agreement, unless such employment is terminated prior to the end of such period as a result of (1) the death of the Employee, (2) disability of the Employee, (3) the desire of the Committee to terminate the employment of the Employee, or (4) the consent of the Committee to the appointment of the Employee to another position in the United States Government.

3. The Employee agrees that, if he is separated from employment with the Committee for any reason other than one of the reasons specified in paragraph 2 of this agreement, and such separation occurs prior to the expiration of a period of continuous employment equal in duration to the period specified in paragraph 2, he will make repayment to the United States Government of those training expenses referred to in paragraph 1 (other than compensation) on a pro rata basis commensurate with the portion of such period remaining to be served by the Employee at the time of such separation. For the purposes of this paragraph, employment with the Committee includes employment with any other department, agency, or establishment of the United States Government with the consent of the Committee.

4. The Committee and the Employee agree that this agreement shall have no effect unless the training expenses referred to in paragraph 1 are approved by the Committee on Rules and Administration of the Senate.

Witness our hands the day and year first written above.

COMMITTEE ON ————————————

By: ————————————
Chairman

————————————
Employee

USE OF AGENCY PERSONNEL BY COMMITTEES OF THE SENATE (REIMBURSABLE SERVICES)

Authority

The specific authority and conditions for the utilization, on a reimbursable basis, of the services of personnel of other Government agencies by committees of the Senate are contained in—

(1) Section 202(f) of the Legislative Reorganization Act of 1946, as amended (see below);

(2) Section 2 of the Wherry Resolution, agreed to by the Senate on June 28, 1945 (see below); and

(3) Individual Senate resolutions authorizing funds for committee inquiries and investigations (see resolution Forms 2 and 3, pages 6–9 herein).

Section 202(f) of the Legislative Reorganization Act of 1946

(2 U.S.C. 72a)

(f) No committee shall appoint to its staff any experts or other personnel detailed or assigned from any department or agency of the Government, except with the written permission of the Committee on Rules and Administration of the Senate or the Committee on House Administration of the House of Representatives, as the case may be.

Section 2 of the Wherry Resolution

(S. Jour. 288, 79–1, June 28, 1945)

Sec. 2. Whenever the head of any department or agency of the Government shall have detailed or assigned personnel of such department or agency to the staff of any Senate committee or subcommittee thereof, the appropriations of such department or agency from which the personnel so assigned or detailed is paid shall be reimbursed from funds available to the committee or subcommittee at the end of each quarterly period in the amount of the salaries of such personnel while on such detail or assignment; and the services of any personnel so detailed or assigned shall not be accepted or utilized unless, at the time of such detail or assignment, funds are available to such committee or subcommittee for the reimbursement of appropriations, as herein provided, for the period of such detail or assignment.

Procedure

Under the usual procedure, the chairman of a committee desiring to secure the services of the employee of another agency of the Federal Government shall request advance approval, in writing, of the Committee on Rules and Administration for the expenditure of committee funds for such purpose. The chairman's letter should contain the following information:

(1) Notification of the particular Government agency's agreement to the temporary detail of its employee;
(2) The individual's name, title, and annual salary;
(3) The general nature of the work to be performed;
(4) The period of time involved (not to extend beyond the end of the succeeding February); and
(5) Identification and availability of the funds to be allocated.

The Committee on Rules and Administration will reply promptly to all requests of this type and send a copy of its decision to the Comptroller of the Senate for his information and guidance.

PERMANENT STAFFS OF SENATE COMMITTEES

Because of their pertinence to the general subject of expenditure authorizations, the statutory provisions relating to appointment and compensation of permanent staffs of Senate committees are included herein, as follows:

Appointment

Section 202 (a)–(h) of the Legislative Reorganization Act of 1946

(2 U.S.C. 72a)

Sec. 202.[1] (a) Each standing committee of the Senate (other than the Committee on Appropriations) is authorized to appoint, by majority vote of the committee, not more than six professional staff members in addition to the clerical staffs. Such professional staff members shall be assigned to the chairman and the ranking minority member of such committee as the committee may deem advisable, except that whenever a majority of the minority members of such committee so request, two of such professional staff members may be selected for appointment by majority vote of the minority members and the committee shall appoint any staff members so selected. A staff member or members appointed pursuant to a request by the minority members of the committee shall be assigned to such committee business as such minority members deem advisable. Services of professional staff members appointed by majority vote of the committee may be terminated by a majority vote of the committee and services of professional staff members appointed pursuant

---

[1] Section 301(d) of the Legislative Reorganization Act of 1970 provides that nothing in subsections (a) and (c), as amended, shall be construed—

(1) to require a reduction in—

(A) the number of staff members authorized, prior to January 1, 1971, to be employed by any committee of the Senate, by statute or by annual or permanent resolution, or

(B) the number of such staff members on such date assigned to, or authorized to be selected for appointment by or with the approval of, the minority members of any such committee; or

(2) to authorize the selection for appointment of staff members by the minority members of a committee in any case in which two or more professional staff members or one or more clerical staff members, as the case may be, who are satisfactory to a majority of such minority members, are otherwise assigned to assist such minority members.

to a request by the minority members of the committee shall be terminated by the committee when a majority of such minority members so request. Professional staff members authorized by this subsection shall be appointed on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform the duties of their respective positions. Such professional staff members shall not engage in any work other than committee business and no other duties may be assigned to them.[2]

(b) Subject to appropriations which it shall be in order to include in appropriation bills, the Committee on Appropriations of each House is authorized to appoint such staff, in addition to the clerk thereof and assistants for the minority, as each such committee, by a majority vote, shall determine to be necessary, such personnel, other than the minority assistants, to possess such qualifications as the committees respectively may prescribe, and the Committee on Appropriations of the House also is authorized to conduct studies and examinations of the organization and operation of any executive agency (including any agency the majority of the stock of which is owned by the Government of the United States) as it may deem necessary to assist it in connection with the determination of matters within its jurisdiction and in accordance with procedures authorized by the committee by a majority vote, including the rights and powers conferred by House Resolution Numbered 50, adopted January 9, 1945.

(c) The clerical staff of each standing committee of the Senate (other than the Committee on Appropriations), which shall be appointed by a majority vote of the committee, shall consist of not more than six clerks to be attached to the office of the chairman, to the ranking minority member, and to the professional staff, as the committee may deem advisable, except that whenever a majority of the minority members of such committee so requests, one of the members of the clerical staff may be selected for appointment by majority vote of such minority members and the committee shall appoint any staff member so selected. The clerical staff shall handle committee correspondence and stenographic work, both for the committee staff and for the chairman and ranking minority member on matters related to committee work, except that if a member of the clerical staff is appointed pursuant to a request by the minority members of the committee, such clerical staff members shall handle committee corre-

---

[2] As amended, Sec. 301(a) of Pub. Law 91–510, 84 Stat. 1175, Oct. 26, 1970. Section 301(e) of the Legislative Reorganization Act of 1970 provides that the additional professional staff members authorized to be employed by a committee, as the result of the amendment to subsection (a) by the 1970 Act, shall be in addition to any other additional staff members authorized, prior to January 1, 1971, to be employed by any such committee.

spondence and stenographic work for the minority members of the committee and for any members of the committee staff appointed under subsection (a) pursuant to request by such minority members, on matters related to committee work. Services of clerical staff members appointed by majority vote of the committee may be terminated by majority vote of the committee and services of clerical staff members appointed pursuant to a request by the minority members of the committee shall be terminated by the committee when a majority of such minority members so request.[3]

(d) All committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Member serving as chairman of the committee; and such records shall be the property of the Congress and all members of the committee and the respective Houses shall have access to such records. Each committee is authorized to have printed and bound such testimony and other data presented at hearings held by the committee.

(e) (Repealed.)

(f)[4] No committee shall appoint to its staff any experts or other personnel detailed or assigned from any department or agency of the Government, except with the written permission of the Committee on Rules and Administration of the Senate or the Committee on House Administration of the House of Representatives, as the case may be.

(g) In any case in which a request for the appointment of a minority staff member under subsection (a) or subsection (c) is made at any time when no vacancy exists to which the appointment requested may be made—

(1) the person appointed pursuant to such a request under subsection (a) may serve in addition to any other professional staff members authorized by such subsection and may be paid from the contingent fund of the Senate until such time as such a vacancy occurs, at which time such person shall be considered to have been appointed to such vacancy; and

(2) the person appointed pursuant to such a request under subsection (c) may serve in addition to any other clerical staff members authorized by such subsection and may be paid, until otherwise provided, from the contingent fund of the Senate.[5]

---

[3] As amended, Sec. 301(b) of Pub. Law 91–510, 84 Stat. 1176, Oct. 26, 1970.

[4] Section 235(a) of the Legislative Reorganization Act of 1970 prohibits the assignment or detail of any employee of the General Accounting Office to full-time duty on a continuing basis with any Senate or House committee or joint committee for a period in excess of one year. Pub. Law 91–510, 84 Stat. 1171, Oct. 26, 1970.

[5] As amended, Sec. 310(c) of Pub. Law 91–510, 84 Stat. 1176, Oct. 26, 1970. and Sec. 5(a) of Pub. Law 92–136. 85 Stat. 378. Oct. 11. 1971.

(h) Staff members appointed pursuant to a request by minority members of a committee under subsection (a) or subsection (c), and staff members appointed to assist minority members of subcommittees pursuant to authority of Senate resolution, shall be accorded equitable treatment with respect to the fixing of salary rates, the assignment of facilities, and the accessibility of committee records.[6]

Compensation

Subsections (e) and (f) of Section 105 of the Legislative Branch Appropriations Act, 1968, as Amended[7]

(2 U.S.C. 61–1)

(e)(1) Subject to the provisions of paragraph (3), the professional staff members of standing committees of the Senate shall receive gross annual compensation to be fixed by the chairman ranging from $18,496 to $32,912.

(2) The rates of gross compensation of the clerical staff of each standing committee of the Senate shall be fixed by the chairman as follows:

(A) for each committee (other than the Committee on Appropriations), one chief clerk and one assistant chief clerk at $8,160 to $32,912, and not to exceed four other clerical assistants at $8,160 to $16,048; and

(B) for the Committee on Appropriations, one chief clerk and one assistant chief clerk and two assistant clerks at $20,400 to $32,912; such assistant clerks as may be necessary at $14,144 to $23,664; and such other clerical assistants as may be necessary at $8,160 to $16,048.

(3) No employee of any standing or select committee of the Senate (including the majority and minority policy committees and the conference majority and conference minority of the Senate), or of any joint committee the expenses of which are paid from the contingent fund of the Senate, shall be paid at a gross rate in excess of $32,912 per annum, except that—

(A) four employees of any such committee (other than the Committee on Appropriations), who are otherwise authorized to be paid at such rate, may be paid at gross rates not in excess of $34,544 per annum, and two such employees may be paid at gross rates not in excess of $35,904 per annum; and

(B) sixteen employees of the Committee on Appropriations who are otherwise authorized to be paid at

---

[6] As amended, Sec. 301(c) of Pub. Law 91–510, 84 Stat. 1176, Oct. 26, 1970.

[7] The figures included in subsections (e) and (f) are those provided for in the Order of the President pro tempore of December 16, 1972, effective January 1, 1973. Such figures are in effect as long as level V of the Executive Schedule does not exceed $39,000.

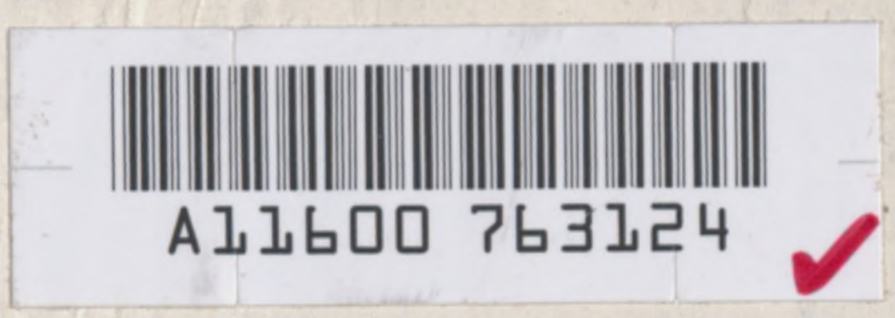
such rate, may be paid at gross rates not in excess of $34,544 per annum, and three[8] such employees may be paid at gross rates not in excess of $35,904 per annum. For the purpose of this paragraph, an employee of a subcommittee shall be considered to be an employee of the full committee.

(f) No officer or employee whose compensation is disbursed by the Secretary of the Senate shall be paid gross compensation at a rate less than $1,088 or in excess of $35,904, unless expressly authorized by law.

---

[8] Increased from "two" to "three" by Sec. 505 of Pub. Law 92–607, 86 Stat. 1505, Oct. 31, 1972.

○


A11600 763124