

1 LEGISLATIVE BUSINESS

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WEDNESDAY, FEBRUARY 28, 2007

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United States Senate,

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Committee on Rules and Administration,

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Washington, D.C.

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The Committee met, pursuant to notice, at 9:42 a.m., in

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Room SR-301, Russell Senate Office Building, Hon. Dianne

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Feinstein, Chairman of the Committee, presiding.

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Present: Senators Feinstein, Inouye, Dodd, Nelson,

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Murray, Pryor, Bennett, Stevens, Cochran, Lott, Hagel, and

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Alexander.

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Staff Present: Howard Gantman, Staff Director;

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Veronica Gillespie, Elections Counsel; Adam Ambrogi,

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Counsel; Christopher Shunk, Director of Administration and

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Policy; Matthew McGowan, Professional Staff; Sue Wright,

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Chief Clerk; Mary Jones, Republican Staff Director; Matthew

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Petersen, Republican Chief Counsel; Shaun Parkin, Republican

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Deputy Staff Director; Michael Merrell, Republican Counsel;

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and Trish Kent, Republican Professional Staff.

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OPENING STATEMENT OF CHAIRMAN FEINSTEIN

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Chairman Feinstein. The meeting will come to order.

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The rule is that we should have seven members to talk and

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ten members to vote. We have the first part. We do not

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have the latter part. If ten members are not present when

1 the Ranking Member and I complete our statements, we will
2 promptly adjourn until after the first vote and meet in the
3 President's Room. If there is no vote today, there likely
4 will be one tomorrow, and we will handle this then. I hope
5 that is agreeable to everybody. If not, please let me know.

6 Okay. Today, the Rules Committee is being asked to
7 report an omnibus budget resolution authorizing expenditures
8 by Senate Committees for the 110th Congress. For March 1,
9 2007, through September 20, 2007, the total would be
10 \$55,446,216. For October 1, 2007, through September 20,
11 2008, the total is \$97,164,714. And from October 1 of 2008
12 to February 28, 2009, the total is \$41,263,116. Just a
13 brief explanation on how these figures were reached.

14 Currently, the Senate is operating under a continuing
15 resolution for the remainder of fiscal year 2007, and the
16 total funding goal for each of these three fiscal years--
17 2007, 2008, 2009--is 100 percent of the 2006 total budget
18 authorized by S. Res. 50, the Omnibus Committee Funding
19 Resolution for the 109th Congress. Salaries may be adjusted
20 by the projected COLAs in January of 2007, 2008, and 2009.
21 In addition, each Committee is receiving 10 percent in
22 additional administrative funds to be distributed in
23 accordance with the Senate floor colloquy between the
24 Majority and Republican Leaders on January 12, 2007. But
25 the bottom line is that the Rules Committee has been

1 mandated to mark up and report out an Omnibus Committee
2 Funding Resolution for the 110th Congress that will provide
3 an authorization within the limited funds of the
4 appropriation account "Inquiries and Investigations" for
5 FY07. All very complicated.

6 Most Committees closely followed the guidelines in
7 requiring funds for the upcoming 2-year biennial period.
8 However, three Committees came in above guideline levels.
9 Each has a very compelling case. Finance sought an
10 additional \$800,000. Foreign Relations sought an additional
11 \$700,002. Intelligence sought an additional \$405,329. The
12 Chairs and Ranking Members of these three Committees have
13 either testified at our hearing of February 14th or written
14 our Committee about why these funds are so urgently needed.
15 Two of the Committees--Finance and Foreign Relations--had
16 their budgets supplemented from the reserve fund in the
17 109th Congress, so they already had the money built into
18 their budgets, and they are essentially asking to continue
19 at that level of funding. Intelligence seeks the additional
20 money to increase the pay of their 13 liaisons in order to
21 keep the salary competitive with other similar
22 opportunities.

23 I have discussed these three requests with my Ranking
24 Member, and we believe the best course of action is to deny
25 the request at this time. Instead of putting them in the

1 baseline at this time, we will seek to address these needs
2 through the use of special reserves. However, I am prepared
3 to make this commitment, and I believe the Ranking Member
4 is, when the Senate takes up the leg. branch appropriations
5 bill for fiscal year 2008. If it appears there is adequate
6 funding, I--and I think the Ranking Member--would be
7 prepared to re-examine these requests by these Committees
8 and consider amending the Omnibus Committee Funding
9 Resolution to increase their baseline budgets to the
10 requested levels.

11 In other words, two Committees have had this money now
12 for a period of time, so they have hired based on these
13 funds. They wanted it to be in the baseline. To put it in
14 the baseline runs a risk on the Senate floor. Therefore, we
15 have decided just to put it in the reserve for the time
16 being and then work through leg. branch approps when they do
17 the baseline budgets.

18 I would like to ask now if my Ranking Member would like
19 to say a few words.

20 OPENING STATEMENT OF SENATOR BENNETT

21 Senator Bennett. Thank you, Madam Chairman, and thank
22 you for the collegial way in which you and your staff have
23 worked with me and my staff on this. I think your analysis
24 and explanation is accurate. We are going to provide the
25 money. I do not want, long term, to give away our

1 authorizing authority to the leg. branch subcommittee. I
2 used to chair that leg. branch subcommittee, and I may have
3 felt differently when I was in that position.

4 Chairman Feinstein. I was your Ranking Member.

5 Senator Bennett. That is right. You were. Now that
6 we are in this position, I think at some appropriate time we
7 should reclaim our authorizing authority and not have that
8 pass by default to the appropriations subcommittee. But
9 this is not the time or the place to try to do that. So I
10 agree with the solution that you have outlined here, and I
11 think we should move forward on the basis you have
12 described.

13 Chairman Feinstein. I thank the Ranking Member.

14 The time is now 10 of 10:00, and we do not have a
15 quorum suitable for a vote. What we might do is entertain
16 the motion to report the Omnibus Committee Funding
17 Resolution, and then have the vote in the President's Room
18 following the first vote, if that is agreeable. But if
19 anyone would like to speak to this or ask questions, now
20 would be the time.

21 Senator Bennett. I am told, Madam Chairman, by Senator
22 Stevens that a vote is expected today, so we could look
23 forward to doing that today.

24 Chairman Feinstein. Would you like to make a motion?

25 Senator Bennett. I will so move.

1 Senator Nelson. Second.

2 Chairman Feinstein. A second. All right. We will
3 hold the vote then until the appropriate time, which will be
4 in the President's Room following the first vote.

5 If there is no further business, the meeting is
6 adjourned.

7 [Whereupon, at 9:49 a.m., the Committee was adjourned
8 and reconvened at 5:54 p.m. in the Capitol this same day.]

9 Chairman Feinstein. Can we call the meeting to order,
10 please? We met this morning. There was not a quorum for a
11 vote. Both the Ranking Member and I made our remarks. We
12 have moved this resolution. The resolution authorized
13 expenditures by Committees of the Senate for March 1, 2007,
14 to February 8, 2009. It is the Omnibus Committee Funding
15 Resolution for the 110th Congress.

16 Call the roll, please.

17 The Clerk. Senator Byrd?

18 Chairman Feinstein. Aye, by proxy.

19 The Clerk. Senator Inouye?

20 Senator Inouye. Aye.

21 The Clerk. Senator Dodd?

22 Senator Dodd. Aye.

23 The Clerk. Senator Schumer?

24 [No response.]

25 The Clerk. Senator Durbin?

1 [No response.]

2 The Clerk. Senator Ben Nelson?

3 [No response.]

4 The Clerk. Senator Reid?

5 [No response.]

6 The Clerk. Mrs. Murray?

7 Senator Murray. Aye.

8 The Clerk. Mr. Pryor?

9 Senator Pryor. Aye.

10 The Clerk. Mr. Bennett?

11 Senator Bennett. Aye.

12 The Clerk. Mr. Stevens?

13 Senator Stevens. Aye.

14 The Clerk. Mr. McConnell?

15 [No response.]

16 The Clerk. Mr. Cochran?

17 Senator Cochran. Aye.

18 The Clerk. Mr. Lott?

19 Senator Lott. Aye.

20 The Clerk. Mrs. Hutchison?

21 [No response.]

22 The Clerk. Mr. Chambliss?

23 [No response.]

24 The Clerk. Mr. Hagel?

25 Senator Hagel. Aye.

1 The Clerk. Mr. Alexander?

2 Senator Alexander. Aye.

3 The Clerk. Madam Chairman?

4 Chairman Feinstein. Aye.

5 Could you call for proxies once again, please?

6 The Clerk. For proxies?

7 Chairman Feinstein. Yes. Yes, I have some on our
8 side.

9 The Clerk. Schumer?

10 Chairman Feinstein. Aye, by proxy.

11 The Clerk. Durbin?

12 Chairman Feinstein. Aye, by proxy.

13 The Clerk. Nelson?

14 Chairman Feinstein. Aye, by proxy.

15 The Clerk. Reid?

16 Chairman Feinstein. Aye, by proxy.

17 The Clerk. Hutchison?

18 [No response.]

19 The Clerk. Chambliss?

20 [No response.]

21 The Clerk. That would be 11 voice ayes, 5 aye, by
22 proxy.

23 Chairman Feinstein. All right.

24 The Clerk. Sixteen ayes total.

25 Chairman Feinstein. Done. The meeting is adjourned.

1 Thank you all very much.

2 [Whereupon, at 5:59 p.m., the Committee was adjourned.]