

111TH CONGRESS
1st Session

" HOUSE OF REPRESENTATIVES

COMMITTEE ON APPROPRIATIONS
HOUSE OF REPRESENTATIVES

R E P O R T

OF

OVERSIGHT PLANS
ONE HUNDRED ELEVENTH CONGRESS

PURSUANT TO CLAUSE 2(d)(1) of Rule X



APPROVED JANUARY 21, 2009

COMMITTEE ON APPROPRIATIONS

HOUSE OF REPRESENTATIVES

111th Congress

DAVID R. OBEY, Wisconsin, *Chairman*

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BEVERLY PHETO, *Clerk and Staff Director*

LETTER OF TRANSMITTAL

FEBRUARY 4, 2009

Hon. Edolphus Towns,
Chairman, Committee on Oversight and Government Reform,
House of Representatives,
Washington, DC.

Hon. Robert A. Brady,
Chairman, Committee on House Administration,
House of Representatives,
Washington, DC.

DEAR CHAIRMAN TOWNS and CHAIRMAN BRADY: On behalf of the Committee on Appropriations, I hereby transmit the Committee's plan for Oversight activities for the 111th Congress. This year, the Committee intends to conduct increased oversight of Federal programs, policies and activities, especially with regard to the on-going military activities in Iraq and intelligence programs. In addition, the Committee will carefully study the Administration's budget requests and fiscal and programmatic execution in light of changing demographics, increased needs, and the priorities of the American people.

The Committee looks forward to working with all Members of the House of Representatives in order to fulfill our responsibilities under the Rules.

With best regards,
Sincerely,

DAVID R. OBEY, *Chairman*

(III)

REPORT OF OVERSIGHT PLANS OF THE HOUSE
COMMITTEE ON APPROPRIATIONS

APPROVED JANUARY 21, 2009

Mr. OBEY of Wisconsin, from the Committee on Appropriations, submitted to the Committee on Government Reform and the Committee on House Administration the following

R E P O R T

OVERSIGHT PLANS OF THE HOUSE COMMITTEE ON
APPROPRIATIONS

Clause 2(d)(1) of Rule X of the Rules of the House requires each standing committee of the House to adopt oversight plans at the beginning of each Congress. Specifically, the Rule states in part:

“Rule X, clause (2)(d)(1). Not later than February 15 of the first session of a Congress, each standing committee shall, in a meeting that is open to the public and with a quorum present, adopt its oversight plan for that Congress. Such plan shall be submitted simultaneously to the Committee on Government Reform and to the Committee on House Administration.”

JURISDICTION OF THE COMMITTEE ON APPROPRIATIONS

Rule X of the Rules of the House vests in the Committee on Appropriations broad responsibility over the Federal budget. Specifically the Rule defines the Committee’s jurisdiction, as follows:

“Rule X clause (b). Committee on Appropriations.

- (1) Appropriation of the revenue for the support of the Government.
- (2) Rescissions of appropriations contained in appropriations Acts.
- (3) Transfers of unexpended balances.

(4) Bills and joint resolutions reported by other committees that provide new entitlement authority as defined in section 3(9) of the Congressional Budget Act of 1974 and referred to the committee under clause 4(a)(2).”

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GENERAL OVERSIGHT RESPONSIBILITIES

2. (a) The various standing committees shall have general oversight responsibilities as provided in paragraph (b) in order to assist the House in—

(1) its analysis, appraisal, and evaluation of (A) the application, administration, execution, and effectiveness of Federal laws; and (B) conditions and circumstances that may indicate the necessity or desirability of enacting new or additional legislation; and

(2) its formulation, consideration, and enactment of such changes in Federal laws, and of such additional legislation, as may be necessary or appropriate.

(b)(1) In order to determine whether laws and programs addressing subjects within the jurisdiction of a committee are being implemented and carried out in accordance with the intent of Congress and whether they should be continued, curtailed, or eliminated, each standing committee (other than the Committee on Appropriations) shall review and study on a continuing basis—

(A) the application, administration, execution, and effectiveness of laws and programs addressing subjects within its jurisdiction;

(B) the organization and operation of Federal agencies and entities having responsibilities for the administration and execution of laws and programs addressing subjects within its jurisdiction;

(C) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation addressing subjects within its jurisdiction (whether or not a bill or resolution has been introduced with respect thereto); and

(D) future research and forecasting on subjects within its jurisdiction.

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SPECIAL OVERSIGHT FUNCTIONS

3. (a) The Committee on Appropriations shall conduct such studies and examinations of the organization and operation of executive departments and other executive agencies (including any agency the majority of the stock of which is owned by the United States) as it considers necessary to assist it in the determination of matters within its jurisdiction.

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ADDITIONAL FUNCTIONS OF COMMITTEES

4. (a)(1)(A) The Committee on Appropriations shall, within 30 days after the transmittal of the budget to Congress each year,

hold hearings on the budget as a whole with particular reference to—

(i) the basic recommendations and budgetary policies of the President in the presentation of the budget; and

(ii) the fiscal, financial, and economic assumptions used as bases in arriving at total estimated expenditures and receipts.

(B) In holding hearings under subdivision (A), the Committee shall receive testimony from the Secretary of the Treasury, the Director of the Office of Management and Budget, the Chairman of the Council of Economic Advisers, and such other persons as the Committee may desire.

(C) A hearing under subdivision (A), or any part thereof, shall be held in open session, except when the committee, in open session and with a quorum present, determines by record vote that the testimony to be taken at that hearing on that day may be related to a matter of national security. The committee may by the same procedure close one subsequent day of hearing. A transcript of all such hearings shall be printed and a copy thereof furnished to each Member, Delegate, and the Resident Commissioner.

(D) A hearing under subdivision (A), or any part thereof, may be held before a joint meeting of the Committee and the Committee on Appropriations of the Senate in accordance with such procedures as the two committees jointly may determine.

(2) Pursuant to section 401(b)(2) of the Congressional Budget Act of 1974, when a committee reports a bill or joint resolution that provides new entitlement authority as defined in section 3(9) of that Act, and enactment of the bill or joint resolution, as reported, would cause a breach of the committee's pertinent allocation of new budget authority under section 302(a) of that Act, the bill or joint resolution may be referred to the Committee on Appropriations with instruction to report it with recommendations (which may include an amendment limiting the total amount of new entitlement authority provided in the bill or joint resolution). If the Committee on Appropriations fails to report a bill or joint resolution so referred within 15 calendar days (not counting any day on which the House is not in session), the committee automatically shall be discharged from consideration of the bill or joint resolution, and the bill or joint resolution shall be placed on the appropriate calendar.

(3) In addition, the Committee on Appropriations shall study on a continuing basis those provisions of law that (on the first day of the first fiscal year for which the congressional budget process is effective) provide spending authority or permanent budget authority and shall report to the House from time to time its recommendations for terminating or modifying such provisions.

(4) In the manner provided by section 302 of the Congressional Budget Act of 1974, the Committee on Appropriations (after consulting with the Committee on Appropriations of the Senate) shall subdivide any allocations made to it in the joint explanatory statement accompanying the conference report on such concurrent resolution, and promptly report the subdivisions to the House as soon as practicable after a concurrent resolution on the budget for a fiscal year is agreed to.

(5)(A) There is established a Select Intelligence Oversight Panel of the Committee on Appropriations (hereinafter in this paragraph referred to as the "select panel"). The select panel shall be com-

posed of not more than 13 Members, Delegates, or the Resident Commissioner appointed by the Speaker, of whom not more than eight may be from the same political party. The select panel shall include the chairman and ranking minority member of the Committee on Appropriations, the chairman and ranking minority member of its Subcommittee on Defense, six additional members of the Committee on Appropriations, and three members of the Permanent Select Committee on Intelligence.

(B) The Speaker shall designate one member of the select panel as its chairman and one member as its ranking minority member.

(C) Each member on the select panel shall be treated as though a member of the Committee on Appropriations for purposes of the select panel.

(D) The select panel shall review and study on a continuing basis budget requests for and execution of intelligence activities; make recommendations to relevant subcommittees of the Committee on Appropriations; and, on an annual basis, prepare a report to the Defense Subcommittee of the Committee on Appropriations containing budgetary and oversight observations and recommendations for use by such subcommittee in preparation of the classified annex to the bill making appropriations for the Department of Defense.

(E) Rule XI shall apply to the select panel in the same manner as a subcommittee (except for clause 2(m)(1)(B) of that rule).

(F) A subpoena of the Committee on Appropriations or its Subcommittee on Defense may specify terms of return to the select panel.

Rule XIII of the Rules of the House prescribes special reporting requirements of the Committee on Appropriations. Specifically Rule XIII, clause 3(f) states:

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CONTENT OF REPORTS

“(f)(1) A report of the Committee on Appropriations on a general appropriation bill shall include—

(A) a concise statement describing the effect of any provision of the accompanying bill that directly or indirectly changes the application of existing law; and

(B) a list of all appropriations contained in the bill for expenditures not currently authorized by law for the period concerned (except classified intelligence or national security programs, projects, or activities) along with a statement of the last year for which such expenditures were authorized, the level of expenditures authorized for that year, the actual level of expenditures for that year, and the level of appropriations in the bill for such expenditures.

(2) Whenever the Committee on Appropriations reports a bill or joint resolution including matter specified in clause 1(b)(2) or (3) of rule X, it shall include—

(A) in the bill or joint resolution, separate headings for “Rescissions” and “Transfers of Unexpended Balances”; and

(B) in the report of the committee, a separate section listing such rescissions and transfers.”

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OVERSIGHT PLAN

The Committee on Appropriations believes that rigorous oversight is essential for ensuring that Government agencies and programs effectively and efficiently serve the American people. The oversight function will be carried out by the Committee throughout the year and at many levels of examination and investigation. For the 111th Congress the Committee intends to proceed in the following manner:

1. *Subcommittee Hearings.* The Appropriations Committee holds itself to the highest standards for analysis of the President's budget and supplemental funding requests. During the 110th Congress, the Committee held 402 hearings, took testimony from 3,076 witnesses and published 184 volumes of hearings totaling 165,868 printed pages. Requests for emergency supplemental funding for Iraq will be closely scrutinized, as will earmarks proposed by the Administration within the President's budget.

The Committee will also continue to augment oversight of the U.S. intelligence community through the Select Intelligence Oversight Panel of the Committee on Appropriations. Comprised of members of the Committee and of the intelligence authorizing committee, the panel will continue to review budget requests and make recommendations for the preparation of the classified annex to the bill making appropriations for the Department of Defense.

2. *Investigations.* In addition to formal oversight, the Committee utilizes various investigative agencies to conduct in-depth analysis as it deems necessary. Many of these investigations are conducted by the Committee's Surveys and Investigations Staff, an important resource whose performance is critical to effective oversight. In the previous Congress, the Committee received 36 Surveys and Investigations studies and 360 investigative reports from the GAO. The Surveys and Investigations Staff will closely scrutinize the progress and performance of programs funded with economic recovery dollars.

3. *Appropriations Bills.* The "power of the purse" is the Committee's primary responsibility and greatest power. The manner in which the Committee chooses to provide or withhold Federal funding is undertaken with the greatest care and in compliance with all budgetary concepts and strictures. The Committee will follow the requirements of the Congressional Budget with regard to the subdivision of the budget authority and outlays to its subcommittees. Appropriations bills will be developed in accordance with the results of all the oversight activities in paragraphs 1 and 2, above and brought to the floor for consideration within all relevant budgetary constraints.