



Policy Paper No. 136

BillTally Report 107-1

June 11, 2002

The First Session of the 107th Congress: Brave New World, Same Old Congress?

It is hard to imagine that such a divisive Congressional session that began on the heels of a tumultuous election, and continued with a single defection that shifted party control of the Senate, would nine months later find lawmakers singing “God Bless America” in a harmonious chorus on the steps of the Capitol. Unfortunately it took the worst tragedy ever to hit U.S. shores to make this impromptu concert happen. Although an increase in national security spending is to be expected after such an attack, other non-security spending agendas are also on the rise, while bills to reduce spending became almost extinct. From the numbers one would think that the political differences among Members of Congress have gone from who wants to spend taxpayers’ money vs. who wants to save it, to who wants to spend taxpayers’ money . . . and who wants to spend *more*.

This report summarizes data from NTUF’s BillTally accounting software, which for over ten years has studied the cost or savings of all legislation introduced in Congress that affects spending by at least \$1 million. Agenda totals for individual lawmakers were developed by cross-indexing their sponsorship and cosponsorship records with cost estimates for 690 House bills and 404 Senate bills under BillTally accounting rules that prevent the double counting of overlapping proposals. All sponsorship and cost data in this report were reviewed confidentially by each Congressional office prior to publication. Appendix A lists all Members alphabetically with the number of spending and saving bills they introduced, Appendix B lists Members by state delegation, and Appendix C gives a thorough explanation of the BillTally methodology.

I. General Observations

- The data from the First Session of the 107th Congress shows a return to increased spending for both parties in both Chambers. For the first time in BillTally history, Senate Democrats have, on average, called for more total spending cuts than Senate Republicans. However, these cuts do little to offset the \$88.1 billion in total spending increases that the average Democrat requested. Republicans sponsored fewer total spending hikes in the Senate than the Democrats, but GOP Senators’ reluctance to sign on to spending cuts has led to a fiscal reversal – changing their net agendas from saving taxpayers’ money to

increasing spending by over \$18.7 billion annually. In the House, Democrats have greatly increased their net average agenda from the last Congress by more than 800 percent, raising spending by \$262 billion per year. House Republicans have actually changed their net agenda from an overall average of cost savings to a spending *increase* of \$19.7 billion annually. In fact, this is the first Congress since the 102nd where both major parties in both Chambers have finished the First Session with net average agendas that would hike spending.

- If all the bills introduced in the House for the 107th Congress, First Session, were enacted, spending would rise by \$1.9 trillion.¹ This figure matches the total revenues taken in for 2001 as reported by the Congressional Budget Office (CBO).² The Senate's gross total was \$1 trillion. In addition, a number of Members in the House have the largest net total agendas ever seen in Congress' two hundred-year-plus history. If current trends continue, by Labor Day 2002 Congress will likely have several **Trillion-Dollar Members**.
- Spending priorities in the first nine months of the 107th Congress greatly resembled previous Congresses. The world changed on September 11th, and with it came Congressional attention to fighting terrorism. Yet, some elected officials have waged a war of political opportunism, as numerous bills were re-named and re-introduced post 9/11, to take advantage of a more security-minded society.
- Despite increases in the total number of all kinds of bills introduced, the share that would decrease spending has dropped to the *lowest level ever seen in both Chambers*. In the Senate only thirteen bills to decrease spending were introduced, for a total savings of \$3.3 billion. Democrats introduced nine of those bills; Republicans introduced the remaining four.
- If the average agenda of House Members with a pro-spending agenda were enacted, outlays would increase by approximately \$1,185 per American taxpayer. In contrast, if the House Members with a pro-cutting agenda enacted the legislation they support, the result would be \$7.8 billion in savings, or approximately \$61 per American taxpayer. Only 31 Members out of 433 studied had net total agendas that would cut spending.³
- Only one Senator had a net total agenda that would reduce spending, causing two firsts in the eleven-year history of BillTally. Senator Russell Feingold (D-WI) had a net total agenda of \$1 billion in savings, and is the first Democrat Senator to have the lowest net total agenda of all the Senate.

II. Analysis of Findings

A. Goodbye Surpluses, We Hardly Knew Ye

1. Whatever Happened to Cutting Spending?

As we move farther and farther from the 104th Congress, well-known for attempts (often successful) at cutting federal spending, it is becoming clear the 104th was a fluke of

Congressional history, and not the beginning of a trend in Congressional fiscal responsibility. The frugal lessons learned during the 104th Congress helped to create the surpluses seen in the latter half of the 1990s. In the first half of 2001 a bi-partisan push in Congress, aided by considerable Presidential pressure, passed legislation to return a portion of the surplus to the taxpayers who funded it. March's projected surplus for fiscal year 2002 was \$5 billion.⁴ Yet, with the enactment of the economic stimulus package on March 9, 2002, coupled with large spending increases in the pork-laden farm bill and mid-year supplemental spending package, it is clear that this estimate could soon plummet, to at least a \$140 billion deficit.⁵ Meanwhile, no substantial efforts have been made to reduce any federal spending. When President Bush tried to save \$4.4 billion in the transportation budget, the House actually voted to restore those funds, and a Senate contingent led by James Jeffords (I-VT) is seeking to add \$1.3 billion to that figure.⁶ As Table 1 and Figures 1 and 2 indicate, most Members of Congress have shunned legislation that would actually save taxpayers' money and reduce government inefficiency. Not only are the total number of cut bills in both Houses of Congress the lowest in at least ten years, many bills to reduce spending do so by a relatively paltry \$50 million or less (though four separate bills to rescind the pay raise Congress gave itself last fall would make an important \$2 million symbolic statement if any were passed).⁷

Table 1. Bill Introduction Rates in the Past 4 Congresses and Number of Scored Bills			
Congress	Spending Cut Bills	Spending Increase Bills	Ratio of Increase Bills to Decrease bills
House			
102 nd	78	640	8.2
103 rd	229	722	3.15
104 th	250	316	1.26
105 th	159	440	2.76
106 th	51	515	10.09
107 th	37	653	17.65
Senate			
102 nd	30	395	13.17
103 rd	124	425	3.43
104 th	121	207	1.71
105 th	55	321	5.84
106 th	41	418	10.19
107 th	13	391	30.07

Figure 1. House Bills Introduced and Scored in the First Session of Each Congress

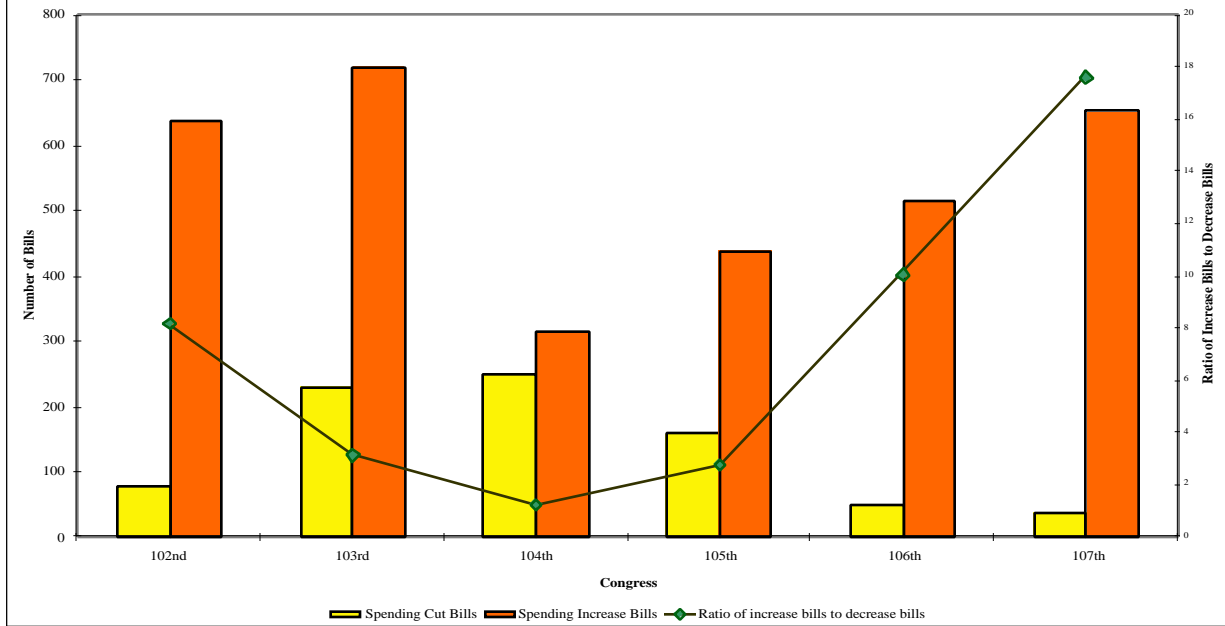
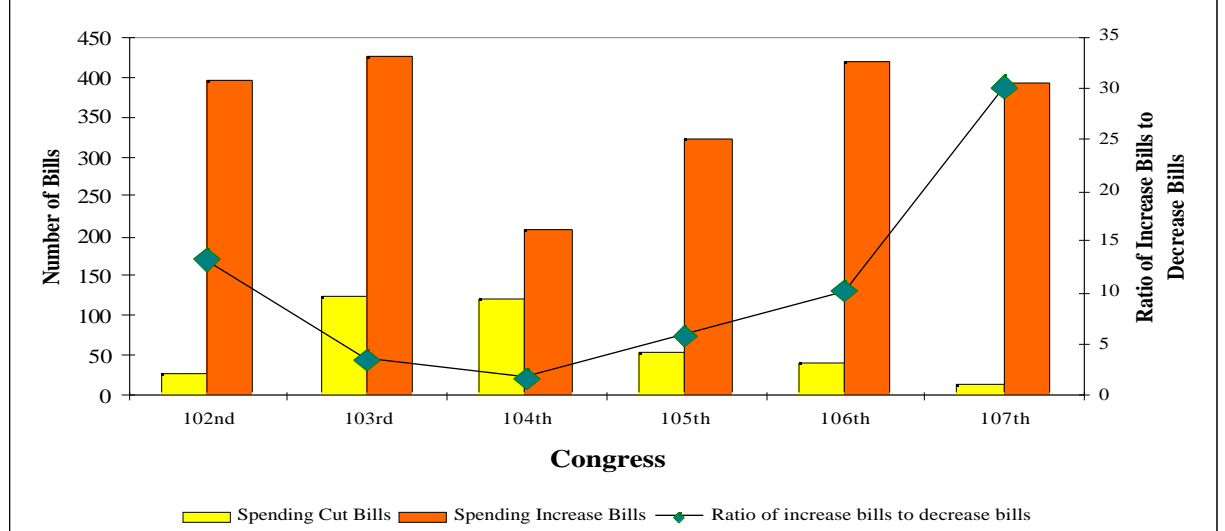


Figure 2. Senate Bills Introduced and Scored in the First Session of Each Congress



2. Spend and Spend Again?

The 107th Congress seems to agree on one principle – spending taxpayers’ money is easier than saving and returning it. From the data in Tables 1 and 2, taxpayers could conclude this is the worst Congress for fiscal responsibility in BillTally history (excluding the big spending Democrats of the 103rd Senate). This is the first Congress since 1991 that both chambers of Congress and both major parties in the First Session have had net agendas that seek to spend more tax money as opposed to save it. While average spending agendas for all lawmakers have gradually increased from the more fiscally conservative 104th Congress, average cutting agendas have been steadily getting smaller since the 103rd.

Table 2. House Sponsorship of Legislation in the First Sessions of the Past 6 Congresses by Party (Dollar Amounts in Millions)				
Congress	Proposed Increases	Proposed Cuts	Net Agendas	Number of Members on No Bills to Decrease Spending
Democrats				
102 nd	\$109,248	(\$1,428)	\$107,821	1
103 rd	\$284,475	(\$22,221)	\$262,254	10
104 th	\$173,641	(\$8,979)	\$164,662	7
105 th	\$106,510	(\$2,815)	\$103,695	11
106 th	\$35,597	(\$1,707)	\$33,890	40
107 th	\$263,191	(\$836)	\$262,355	11
Republicans				
102 nd	\$15,165	(\$4,032)	\$11,134	0
103 rd	\$34,786	(\$54,143)	(\$19,356)	1
104 th	\$5,405	(\$25,038)	(\$19,633)	1
105 th	\$8,903	(\$16,308)	(\$7,405)	8
106 th	\$16,952	(\$21,512)	(\$4,560)	27
107 th	\$30,677	(\$10,908)	\$19,769	31
Notes: Totals may not add due to rounding. Representative Sanders (I-VT), Representative Goode (I-VA), and the Delegate from the Virgin Islands for the 104th Congress, Representative Frazier (I-VI), are not included in this table.				

Table 3. Senate Sponsorship of Legislation in the First Sessions of the Past 6 Congresses by Party (Dollar Amounts in Millions)				
Congress	Proposed Increases	Proposed Cuts	Net Agendas	Number of Members with No Bills to Decrease Spending
Democrats				
102 nd	\$34,099	(\$5,098)	\$29,001	8
103 rd	\$208,324	(\$12,044)	\$196,280	4
104 th	\$3,372	(\$4,629)	(\$1,257)	1
105 th	\$21,769	(\$1,364)	\$20,405	14
106 th	\$15,526	(\$850)	\$14,676	4
107 th	\$88,337	(\$158)	\$88,179	19
Republicans				
102 nd	\$13,826	(\$8,548)	\$5,278	1
103 rd	\$42,276	(\$62,943)	(\$20,667)	0
104 th	\$6,308	(\$22,247)	(\$15,939)	0
105 th	\$13,209	(\$8,201)	\$5,008	3
106 th	\$9,048	(\$9,372)	(\$324)	3
107 th	\$18,726	(\$22)	\$18,703	28
Notes: Totals may not add due to rounding. For the 107 th Congress, Senator Jeffords (I-VT) is not included in this table.				

Prior to September 11th, the issues on which both parties proposed to increase spending are not surprising, but the amounts they wish to spend, as seen in Table 4, may be. If all the bills introduced in the House dealing with education were enacted, they would hike federal school spending by \$163 billion.⁸ By subtracting the average annual cost of legislation President Bush signed this past January (\$19 billion),⁹ it would seem Congress collectively believes that \$144 billion more needs to be allocated to education every year, on top of the over \$190 billion annually that Washington previously spent on education. Spending on health care issues would receive a substantial boost from both the House and Senate with a bill that would place all children born after 2001 in universal health care,¹⁰ resulting in an annual cost of \$700 billion – the most expensive bill ever costed by the BillTally system. All this spending, with few if any spending reductions, contribute to what will probably lead to the first **\$1 Trillion Congressman** by Labor Day, and quite possibly the first **\$1 Trillion Senator**. The last three months of 2001, while greatly changing the world, also created a new spending category that quickly became the second-largest in the Senate and the third-largest in the House. However, as discussed in Section B, it is questionable if all these bills truly have America’s security as their priority.

**Table 4. Categories for Spending
(Dollar Amounts in Millions)**

House		
Categories for Spending	Spending Totals	Number of Bills
Agriculture	\$16,325	26
Economic Stimulus Packages	\$51,322	6
Education	\$160,678	77
Entitlement Programs (non-health care)	\$61,632	57
Environment/Energy/Infrastructure	\$60,520	127
Health Care	\$1,385,767	69
Law Enforcement	\$28,147	42
Miscellaneous	\$7,447	123
National Defense/Foreign Affairs	\$61,398	92
September 11 th -Related	\$96,011	58
Voting Reform	\$4,051	13
Senate		
Categories for Spending	Spending Totals	Number of Bills
Agriculture	\$17,420	12
Economic Stimulus Packages	*	0
Education	\$63,355	56
Entitlement Programs (non-health care)	\$29,954	40
Environment/Energy/Infrastructure	\$17,785	75
Health Care	\$793,886	48
Law Enforcement	\$8,186	35
Miscellaneous	\$15,641	58
National Defense/Foreign Affairs	\$11,265	39
September 11 th -Related	\$68,846	36
Voting Reform	\$1,633	5
Note: Category totals include both spending and cutting bills within stated category without offset measures.		
*There were no Economic Stimulus Packages in the Senate with a known cost.		

B. When the World Stopped Turning: Security Takes on a New Importance

Table 5. Breakdown of Bills Related to the Attack of September 11, 2001*	
Category	Number of bills
Afghan aid	5
Airline bailout	25
Aviation security	29
Bioterrorism/Anthrax scare	17
Blank check	3
Bus security	2
Defense/Intelligence	23
Fight discrimination against those of Middle Eastern origin	8
Help/honor public safety officers (specifically)	27
Help/honor victims	70
Homeland Defense	36
Immigration/Border Safety	14
Misc.	46
NYC Aid	11
Railroad bailout	4
Small business bailout	17
Unemployment/Welfare assistance	23
*Bills listed were classified as related to September 11 by THOMAS, Congress' own information network.	

Following the September 11th terrorist attacks, the subsequent anthrax mail attacks and the new war on terror, Congress responded the best way it knew how, by legislating. As seen in Table 5, the majority of legislation could directly be tied to the tragic events and America's reaction to it. Of the 329 pieces of legislation that Congress' own information system, THOMAS, classified as related to September 11th a little over two-thirds of these are aiding or honoring victims, defending our shores and skies, and helping our armed forces deal with this new threat. Other bills reflect on how numerous Washington lobbyists tried to take advantage of Congress during wartime by asking for handouts. Some of these special interests include the travel industry, car rental agencies, big farms, the steel industry, Amtrak, the insurance industry, the bus industry, and of course major airlines – the number of bills to bail out the airline industry is almost double the number of bills to protect U.S. borders and fix dangerous problems in U.S. immigration policy. Two similar immigration bills, S. 1847 and H.R. 3546, bring to question if any lessons were learned from 9/11. These pieces of legislation make it *easier* for aliens living in the U.S. to become airport security workers, and expedites their

naturalization process. Considering that the majority of hijackers were aliens here legally or not detected due to failures in U.S. immigration policy, one would think “expediting” naturalization might take a back seat to being more “cautious” and “thorough.”

An even closer examination of the legislation purportedly for “America’s security” shows that quite a few bills are questionably tied to this task, and instead aim to take advantage of the current patriotic fervor in Congress. Three bills¹¹ propose to get the federal government involved in the expansion of Illinois’ airports, yet are classified as “security” bills. At least two bills¹² use the attacks on the

TERRORISM LEGISLATION FACTS:
Between September 12, 2001 and December 31, 2001:
i2,682 pieces of legislation introduced
i410 bills claim to deal with security
i96 pieces of legislation deal with children and terrorism specifically
iTHOMAS classifies 329 pieces of legislation as related to 9/11
i30 of those pieces became law or were approved by Congress
Two bills, H.R. 525 and S. 1453, addressed many of the concerns caused by the 9/11 attacks, yet were introduced EIGHT MONTHS PRIOR TO 9/11 (both never got beyond their respective committees)

U.S. as an excuse to expand welfare and Medicaid benefits for the entire U.S. One bill creatively declares ALL the United States a disaster area, then alters the Small Business Act so that ALL businesses – regardless of size – are eligible for money from the federal government.¹³ The \$4.5 billion “National Defense Rail Act”¹⁴ acquired its name post-9/11, and the sponsor’s own office admits the name is more “a historical reference” and has little to do with national defense.¹⁵ Another bill, called “The Job Creation and Economic Security Act of 2002,”¹⁶ for the most part addresses those workers displaced by the attacks of 9/11, yet then throws in credits for farmers involved in ethanol producing or co-ops.

Ethanol farmers aren’t the only agribusiness owners who would receive benefits loosely tied to terrorism. Thanks to Congress, *all* American farmers receive a bad reputation for taking advantage of the current situation. The already pork-laden and expensive “Agricultural Act of 2001” was renamed the “Farm Security Act”,¹⁷ yet received little changes concerning security issues that would prompt a new moniker. Instead Congress argued that millions in subsidies for dairy farmers were needed to “protect” the nation’s milk, and one Congressman stated that the peanut subsidy, with a \$3.5 billion price tag, “strengthens America’s national security.”¹⁸ Fiscal conservatives in Congress have unsuccessfully targeted the peanut subsidy for elimination for a long time.

III. Conclusion

Last year certainly was a roller coaster year for the world and the nation. Taxpayers were rewarded in early 2001 with a tax cut that would begin to return their hard-earned money to them. But with the onset of war, special-interest profiteering in Congress seems to be winning over fairness to taxpayers. Unless Congress begins to tighten the belt on the federal budget’s bulging waistline, further tax cuts will not be realized. Republicans are blaming last

year's recession and the current war on terror for looming deficits, while some Democrats are saying that taxpayers deserve the blame for taking too much back in tax cuts.¹⁹ A glance at the legislation being passed in Congress suggests the problem lies more in that Washington cannot stop spending taxpayers' money on *any* purpose. If America is to shape the brave new world after September 11th, Congress will need to show some bravery of its own to restrain spending and restore the economic health so vital to our national security.

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End Notes

¹ These numbers do not reflect offsets for either increase or decrease bills.

² Congressional Budget Office, *CBO's Current Budget Projections*, May 2002.

³ Due to resignations and deaths, 8 Members of the House of Representatives left office during the first Session of the 107th. Only one replacement, J. Randy Forbes (R-VA), took office early enough to be included in this study.

⁴ Congressional Budget Office, *CBO's Current Budget Projections*, May 2002.

⁵ Daniel J. Parks, "Economy, Policy Matters Flummox Federal Budget Forecasters," *CQ Weekly*, May 18, 2002.

⁶ Peter Cohn, "Senate Contemplates Raising Highway Funds Above House's \$4.4 billion," *CQ Weekly*, May 18, 2002.

⁷ H.R. 241, H.R. 372, H.R. 438, and H.R. 2996, introduced by Rep. Bob Riley (R-AL), Rep. Lynn Rivers (D-MI), Rep. Phil English (R-PA), and Rep. Douglas Ose (R-CA), respectively, all call for stopping the automatic pay adjustment for Congress.

⁸ These numbers do not reflect offsets for either increase or decrease bills.

⁹ H.R. 1, introduced by Rep. John Boehner (R-OH), was signed into law by President Bush on January 8, 2002.

¹⁰ H.R.1733, introduced by Rep. Pete Stark (D-CA) and S.827, introduced by Sen. John Rockefeller IV (D-WV).

¹¹ H.R. 3479, introduced by Rep. William Lipinski (D-IL) and S.1786, and S. 2039, both introduced by Sen. Richard Durbin (D-IL).

¹² S.1732 and S. 1759, introduced by Sen. Thomas Daschle (D-SD) and Sen. John Kerry (D-MA) respectively.

¹³ H.R. 2961, introduced by Rep. John LaFalce (D-NY).

¹⁴ S. 1991, introduced by Sen. Fritz Hollings (D-SC).

¹⁵ Adam Piore, "Milking 9-11 for Dollars," *Newsweek*, May 13, 2002.

¹⁶ H.R. 3666, introduced by Rep. John Thune (R-SD).

¹⁷ H.R.2646, introduced by Rep. Larry Combest (R-TX) and Rep. Charles Stenholm (D-TX). Representatives Combest and Stenholm are the Chairman and Ranking Member of the House Agricultural Committee, respectively. According to CBO, H.R. 2646 has an annual average price tag of \$8 billion.

¹⁸ Adam Piore, "Milking 9-11 for Dollars," *Newsweek*, May 13, 2002.

¹⁹ Jeannine Aversa, "US: \$66.5 Billion Deficit in First Seven Months," *Washington Post*, May 20, 2002.