

# Issue Brief

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## Congress Adds to the Deficit with Yet More Emergency Spending

### Introduction

“After amassing a deficit of over \$2 trillion, what’s a few billion more?” That seems to be the cavalier approach Congress is taking to budgeting as it works on yet another supplemental bill designating \$1.9 billion as “emergency spending” in order to avoid budgetary restraints.

The bill is packaged as a response to the January 6 attack on the Capitol, and includes funding repairs to the Capitol grounds, security upgrades, and covering the expenses of the National Guard mission in D.C. It also provides money to legislative branch agencies for coronavirus-related activities. The text also includes two death gratuity payments of \$174,000 each to the heirs of two members of Congress who died this year while in office. In total, the bill piles on another \$1.9 billion in debt to our staggering \$2.3 trillion deficit.

### The Spending in the Bill

Back on January 7, NTUF warned that the breach of the Capitol the day before could put taxpayers [on the hook for costly repairs and security enhancements](#).<sup>1</sup> Those costs are becoming clearer with the new supplemental bill in the House, [H.R. 3237](#), known as the Emergency Security Supplemental to Respond to January 6th Appropriations Act, 2021, provides \$1.9 billion in budget authority across legislative

<sup>1</sup> Brady, Demian. “Breach of Congress Could Put Taxpayers on the Hook for Costly Repairs and Security Enhancements.” National Taxpayers Union Foundation. January 7, 2021. Retrieved from <https://www.ntu.org/foundation/detail/breach-of-congress-could-put-taxpayers-on-the-hook-for-costly-repairs-and-security-enhancements>.

## Key Facts:



The House is set to consider a \$1.9 billion supplemental spending bill for repairs and security upgrades at the Capitol and for legislative branch agency COVID-19 prevention.



The bill is also the vehicle for outmoded “death gratuity” payments to heirs of two deceased Members of Congress.



Even though this year’s deficit tops \$2 trillion, the \$1.9 billion is designated as “emergency spending” to avoid budgetary constraints.

branch agencies, courts, the District of Columbia, and several departments for security-related expenses.<sup>2</sup> It also includes additional legislative branch funding for countering COVID-19.

The Congressional Budget Office's (CBO) [analysis](#) estimates that \$833 million of the funding provided in the bill would be spent this year, \$546 million next year, with the remainder spread through 2027.<sup>3</sup>

The largest portion of the bill would provide additional funding to the National Guard, including \$521 million for spending related to the security perimeter established around Washington, D.C. in advance of the inauguration, parts of which are still in place around the Capitol building. As NTUF examined in a February [issue brief](#) on the costs related to the January 6 events and the inauguration, the decision to bring in National Guard troops to D.C. from all 50 states and even remote territories such as Guam and Puerto Rico significantly added to the costs of the mission.<sup>4</sup> In addition, housing all the troops in the Capitol strained resources, leaving many stuck in cold parking garages due to insufficient space.

According to an [announcement](#) in March, Department of Defense officials would keep 2,300 National Guard troops in D.C. through May 23.<sup>5</sup> If the mission is extended further, additional funding may be necessary later this year. The text would also provide another \$200 million through 2022 to establish a “quick reaction force within the District of Columbia National Guard.” If this ends up becoming a permanent budget program, it will add to taxpayer expenses over the long-term.

The second largest amount in the bill, \$572 million, is provided to the Architect of the Capitol (AOC), the agency responsible for maintaining the Capitol facilities and its grounds. Of that amount, \$222 million is available for construction and operations, and \$350 million is for “Capitol Complex Emergency Response and Infrastructure Security” which includes repairs and security upgrades. CBO estimates that the AOC would spend \$555 million of this funding through 2027, and the remainder would go unspent. As NTUF [noted](#) on January 7, it wasn't that long ago that Congress spent \$621 million building the Capitol Visitors Center (\$360 million higher than the original cost estimate) which was supposed to have improved security of the Capitol building.<sup>6</sup>

Additional spending provided in the bill includes:

- \$158 million to the judiciary branch
- \$67 million to Washington, D.C.
- \$7 million to the Secret Service
- \$9 million to the National Park Service

The bill would provide \$170 million to legislative branch agencies for coronavirus-related expenses, including an additional \$100 million to the AOC, and other amounts available for the House, Senate, Library of Congress, Government Printing Office, and CBO.

## Death Gratuity

Not included in the budget tables of CBO's cost estimate are two lump sum “death gratuity” payments to the heirs of two members of Congress who passed away this year while in office, Representatives Ron Wright

<sup>2</sup> H.R.3237 - 117th Congress (2021-2022): Emergency Security Supplemental to Respond to January 6th Appropriations Act, 2021. May 14, 2021. Retrieved from <https://www.congress.gov/bill/117th-congress/house-bill/3237/text>.

<sup>3</sup> Congressional Budget Office. (2021). *Discretionary Spending in H.R. 3237 - Emergency Security Supplemental to Respond to January 6th Appropriations Act, 2021 as introduced May 14, 2021*. Retrieved from [https://www.cbo.gov/system/files/2021-05/HR3237\\_0.pdf](https://www.cbo.gov/system/files/2021-05/HR3237_0.pdf).

<sup>4</sup> Brady, Demian. *A Preliminary Assessment of the Costs of the 2021 Inauguration and the Ongoing Security Operation in Washington, D.C.* National Taxpayers Union Foundation. February 19, 2021. Retrieved from <https://www.ntu.org/foundation/detail/a-preliminary-assessment-of-the-costs-of-the-2021-inauguration-and-the-ongoing-security-operation-in-washington-dc>.

<sup>5</sup> Olson, Wyatt. “Pentagon will keep 2,300 National Guard troops at US Capitol through May 23.” *Stars and Stripes*. March 9, 2021. Retrieved from <https://www.stripes.com/news/us/pentagon-will-keep-2-300-national-guard-troops-at-us-capitol-through-may-23-1.665157>.

<sup>6</sup> Brady, Demian. “Breach of Congress Could Put Taxpayers on the Hook for Costly Repairs and Security Enhancements.” National Taxpayers Union Foundation. January 7, 2021. Retrieved from <https://www.ntu.org/foundation/detail/breach-of-congress-could-put-taxpayers-on-the-hook-for-costly-repairs-and-security-enhancements>.

(R-TX) and Alcee Hastings (D-FL). As NTUF [wrote](#) earlier this year, this benefit is provided by Congress to a deceased member's heirs as a matter of tradition that dates back to at least 1880.<sup>7</sup>

Since 2000, Congress has paid out over \$5 million in taxpayer money for death gratuity payments, which are provided as gifts and are not taxable. The money is conferred regardless of the financial position of the deceased's families, which have included many millionaires. In fact, Members of Congress have a median net worth of over \$1 million, which is more than 20 times as much as the median American.

These death gratuity payments are not only obsolete, but they are also [on top of other survivor benefits](#).<sup>8</sup> Legislation introduced by Representative Bill Posey (R-FL), [H.R. 412](#), would prohibit these handouts.<sup>9</sup>

## Emergency Spending

All the spending in the bill is designated as "being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985." In plain English, this means that the money is provided without fiscal constraints. The caps on discretionary spending originally established in the Budget Control Act of 2011 and raised by billions of dollars multiple times since then, would automatically be raised higher to accommodate the new spending. Without this designation, Congress would need to offset the spending to keep total spending levels within the caps.

These caps expire after FY 2021. Congress should enact a successor system to provide for fiscal restraint to address the unsustainable level of federal debt which is on track to overtake the size of the U.S. economy.

Even with the progress in the last Congress on a [bipartisan budget reform proposal](#), finalizing and advancing a comprehensive package will take some time.<sup>10</sup> There is also more spending coming down the pike: Congress is also working on a regular legislative branch appropriations bill with calls to boost funding levels by 10 percent, a \$530.9 million funding increase.

In the meantime, Congress should investigate spending reductions that could offset the amounts included in this supplemental. For example, the joint *Toward Common Ground* by NTUF and U.S. PIRG Education Fund lays out a bipartisan [menu of budget saving recommendations](#)<sup>11</sup>; CBO produces an annual list of [options](#)<sup>12</sup>, and the Government Accountability Office just updated its annual report on [duplication and overlap](#) across the vast federal government.<sup>13</sup>

## Conclusion

Massive increases in spending over the last two years combined with an already-precarious debt situation are quickly making our fiscal path unsustainable. Rather than piling more debt on the backs of taxpayers, Congress should seek spending reforms that can begin to lighten the load.

## About the Author

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<sup>7</sup> Brady, Demian. *An Antiquated Congressional Perk Has Cost Taxpayers Millions*. National Taxpayers Union Foundation. February 23, 2021. Retrieved from <https://www.ntu.org/foundation/detail/an-antiquated-congressional-perk-has-cost-taxpayers-millions>.

<sup>8</sup> Brady, Demian. "The House's Security Supplemental Bill Includes Death Gratuity Payments to Heirs of Former Members." National Taxpayers Union Foundation. May 18, 2021. Retrieved from <https://www.ntu.org/foundation/detail/the-houses-security-supplemental-bill-includes-death-gratuity-payments-to-heirs-of-former-members>.

<sup>9</sup> H.R.412 - 117th Congress (2021-2022): To prohibit the payment of death gratuities to the surviving heirs of deceased Members of Congress. January 21, 2021. Retrieved from <https://www.congress.gov/bills/117th-congress/house-bill/412>.

<sup>10</sup> Lautz, Andrew. "Broken Budget Blues? Senators Enzi, Whitehouse May Have A Remedy For That." National Taxpayers Union. November 13, 2019. Retrieved from <https://www.ntu.org/publications/detail/broken-budget-blues-senators-enzi-whitehouse-may-have-a-remedy-for-that>.

<sup>11</sup> Brady, Demian and Cross, R.J. *Toward Common Ground: Bridging the Political Divide with Deficit Reduction Recommendations for Congress*. National Taxpayers Union Foundation and U.S. PIRG Education Fund. April 23, 2020. Retrieved from <https://www.ntu.org/publications/page/toward-common-ground-bridging-the-political-divide-with-deficit-reduction-recommendations-for-congress>.

<sup>12</sup> Congressional Budget Office. (2020). *Budget Options*. Retrieved from <https://www.cbo.gov/budget-options>.

<sup>13</sup> Government Accountability Office. (2021). *Duplication & Cost Savings*. Retrieved from <https://www.gao.gov/duplication-cost-savings>.



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