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# CRS Report for Congress

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## Salaries and Allowances: The Congress

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## **ABSTRACT**

This report provides basic information on congressional salaries and allowances. Among the topics discussed are salaries of Members of Congress, outside earned income and honoraria limits, health insurance, and retirement provisions applicable to them. The report also discusses the official office and staff allowances available to Members, and the salaries of other top-level legislative branch employees. This report will be updated to reflect changes.

# Salaries and Allowances: The Congress

## Summary

This report provides basic information on congressional salaries and allowances. First, the report briefly summarizes the current salary of Members of Congress, limits on their outside earned income and honoraria, and applicable health insurance and retirement benefits.

Second, the report provides information on allowances available to Representatives and Senators to support them in their official and representational duties as Members. Their allowances include those for official office expenses, staff, mail, and other allowances and services.

Third, the report provides the salaries and allowances available to the Speaker of the House and the Vice President, as president of the Senate, and lists the salaries of congressional officers and officials and committee staff.

Sources of this information are hearings, reports, debates, and language of regular annual and supplemental legislative branch appropriations acts; the Committee on House Administration; the Senate Committee on Rules and Administration; the *House Members' Congressional Handbook*; the *U.S. Senate Handbook*; the House Franking Commission; the *U.S. Code* (1994 ed.); the *U.S. Code Annotated*; the quarterly *Statement of Disbursements of the House As Compiled by the Chief Administrative Officer*; and the semi-annual *Report of the Secretary of the Senate*.

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# Salaries and Allowances: The Congress

## Compensation of Members of Congress

### Compensation

\$136,700 per annum for Senators and Representatives.

### Outside Earned Income and Honoraria Limits

**Representatives.** Representatives are prohibited from accepting honoraria. Permissible outside earned income is limited to 15% of salary; however, certain types of outside earned income are prohibited.

**Senators.** Senators are prohibited from accepting honoraria. This prohibition became effective August 14, 1991. Senators who earned honoraria prior to August 14, 1991, were entitled to retain their earnings. Permissible outside earned income is limited to 15% of salary; however, certain types of outside earned income are prohibited.

### Tax Deductions

Representatives and Senators are allowed to deduct, for income tax purposes, living expenses up to \$3,000 per annum, while away from their congressional districts or home states.

### Insurance and Retirement Provisions for Members of Congress

**Health Insurance.** Members are eligible to participate in the Federal Employees Health Benefits program and may select from among several health benefit plans. Participation is on a voluntary, contributory basis.

**Life Insurance.** Members are eligible to participate in the Federal Employees Group Life Insurance program. The amount of coverage for personal insurance is determined by a formula based on the coverage elected.

**Retirement.** Various options are available to Members regarding participation in the Civil Service Retirement System and the Federal Employees Retirement System. Participation in Social Security is mandatory for Members.

## **Personnel, Office Expenses, and Mail Allowances for U.S. Representatives**

### **House Allowance System**

Representatives have one allowance available to support them in their official and representational duties to the districts from which elected. This allowance is the Members' representational allowance, comprised of three individual allowances, each of which has a separate authorized dollar limit. The three allowances are personnel, official office expenses, and official (franked) mail. The personnel allowance component is the same for each Member. The office expenses and mail allowances components vary from Member to Member. Appropriations allocated for each allowance can be used to pay expenses from any of the three allowances.

These allowances are authorized in statute and are regulated and adjusted by the Committee on House Administration. Funding is provided in a single appropriations heading "Members' Representational Allowances" within the House account "Salaries and Expenses."

The allowances are not to be used to defray any personal, political, or campaign-related expenses. Each Representative is personally responsible for payment of any expenses incurred in support of the official and representational duties that exceed the set allowances. Allowances are authorized from January 3 of each year to January 2 of the following year.

The average representational allowance, comprised of the three individual allowances, is over \$1,000,000.

### **Personnel Allowance**

The personnel allowance is available for employment of staff in a Representative's Washington, D.C., and district offices.

Each Member is entitled to an annual personnel allowance of \$632,355 for not to exceed 18 permanent employees. As many as four additional employees may be designated by the Member, but need not be counted as permanent employees, if they fall into one of the following categories:

- (1) part-time employees;
- (2) employees drawing compensation from more than one employing authority of the House;
- (3) interns receiving pay;
- (4) employees on leave without pay; and
- (5) temporary employees.

Employees' salaries are set at annual rates of not more than \$132,159.

## **Official Office Expenses Allowance**

The official office expenses allowance is available to pay ordinary and necessary business expenses incurred in support of official and representational duties to the district from which a Member has been elected.

A base allowance of \$127,724 is authorized to each Member. There are two allowances in addition to the base allowances:

- (1) a sum for travel based on the following formula: the distance between the District of Columbia and the farthest point in a Member's district multiplied by 64, multiplied by a per mile rate that ranges from 39 cents to 23 cents, depending on distance; this account is in no case to be less than \$6,200; and
- (2) the dollar equivalent to 2,500 square feet multiplied by the highest applicable rate per square foot charged federal agencies by the administrator of the General Services Administration in the district for rental of office space.

The official office expenses allowance may be used for costs of travel, office equipment lease, district office rental, stationery (including paper, envelopes, and other supplies), telecommunications, printing, postage, computer services, and other expenses.

The following items or classes of items are excluded from those that may be paid from the allowance:

- (1) expenses relating to the hiring and employment of individuals, including, but not limited to, employment service fees, transportation of interviewees to and from employment interviews, costs of relocation upon acceptance or termination of employment, and costs of relocation incidental to a change in duty station;
- (2) items purchased from other than the House stationery store that have a useful life in excess of the current term of the Member, and that would have a residual value of more than \$25 upon the expiration of the current term of the Member;
- (3) holiday greeting cards, flowers, and trophies;
- (4) personal advertisements (other than meeting or appearance notices);
- (5) donations of any type, except flags of the United States flown over the Capitol and items purchased for use as gifts when on official travel for the House of Representatives outside the United States, its territories, or possessions;
- (6) dues or assessments;



- (7) educational expenses for courses of study, information and training programs, unless the benefit accrues primarily to the House and the skill or knowledge is not commonly available;
- (8) purchases of radio and television time; and
- (9) parking for Members and employees at district offices, except when included as part of the lease or occupancy agreement for the district office space.

### **Official Mail Allowance (Franking Privilege)**

Representatives are authorized the privilege of sending mail as franked mail in the conduct of official business to assist them in their duties as Members of Congress. Requirements on use of the frank and mass mailings are established in statute and regulations and rules of the House. Use of the frank is the personal responsibility of each Representative.

The franked mail postage allowance is based on a formula in which three is multiplied by the rate applicable to a single piece of first class mail, by the number of non-business addresses in a Representative's district. The allowance may be used to pay the costs of first, third, or fourth class franked mail. It may not be used to pay for certain specified mailing costs, for example, express mail.<sup>1</sup>

Since the official mail allowance is combined with the personnel and office expenses allowances, there is no limit on the amount of money a Member can spend on franked mail from the combined allowances.<sup>2</sup>

### **Other Allowances**

**Public Document Envelope Allowance.** Each Representative is entitled to an allowance of 40,000 brown or white "Public Document" envelopes per month, imprinted with the Representative's frank. The allowance is cumulative during the two sessions of Congress.

**Travel Allowance for Organizational Caucuses or Conferences.** Each Member-elect and one designated staff person who attend an organizational caucus or conference after the adjournment of the Congress in the year involved are to be paid for one round trip each between their place of residence in the district and Washington, D.C., for the purpose of attending such caucus or conference. Each incumbent Member reelected to the ensuing Congress and one designated staff person who attend any such caucus or conference are also provided this allowance.

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<sup>1</sup>Regulations on proper use of the frank are set by the Committee on House Administration and the House Commission on Congressional Mailing Standards.

<sup>2</sup>The limitation was removed effective July 30, 1998.

Each Member–elect (other than an incumbent Member reelected to the ensuing Congress) who attends such caucus or conference is also authorized to be reimbursed on a *per diem* or other basis for expenses incurred in connection with attendance.

## **Personnel, Office Expenses, and Mail Allowances for U.S. Senators**

### **Senate Allowance System**

Senators have three official allowances available to them for personnel and official office expenses. They are the administrative and clerical assistance allowance, the legislative assistance allowance, and the official office expense allowance. The administrative and clerical assistance allowance and the office expense allowance are governed by formula and authorized limits. The legislative assistance allowance is a set amount for all Senators.

All three allowances are funded together in a single appropriation subaccount "Senators' Official Personnel and Office Expense Account" within the appropriations account "Contingent Expenses of the Senate."

The total amount available to a Senator is the total of the two personnel allowances (administrative and clerical assistance and legislative assistance) and the office expenses allowance combined. Within this limit, a Senator is permitted to use funds as he determines, subject to regulations applicable to official mail.<sup>3</sup> The allowance for all three components ranges from \$1,823,086 to \$3,144,999.

The combined account is available to support only the official duties of Senators. The account is not to be used to defray any personal, political, or campaign-related expenses. Senators are responsible for payment of any expenses incurred in support of official duties which exceed the set allowances of the individual accounts.

### **Personnel Allowances: Administrative and Clerical Assistance and Legislative Assistance**

Two personnel allowances are available for each Senator to use in the employment of staff in his or her Washington congressional office and home state office(s).

**Administrative and Clerical Assistance Allowance.** The administrative and clerical assistance allowance is allocated according to the population of a Senator's state. The allowance varies from \$1,298,507, for a Senator representing a state with a population less than 5,000,000, to \$2,274,096, for a Senator representing a state with a population of 28,000,000, or more.

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<sup>3</sup>Regulations are set by the Senate Committee on Rules and Administration.

Each Senator may set the rates of compensation for staff in his or her personal offices at not to exceed \$132,159 per person.

**Legislative Assistance Allowance.** The allowance authorizes each Senator \$396,477 for the appointment of three legislative assistants, to be paid at a maximum annual rate of \$132,159.

### **Official Office Expense Allowance**

Senators are authorized use of an official office expense allowance for official Senate business. Each Senator's account varies due to factors used in setting the individual allowance amounts. These factors are primarily the distance between Washington, D.C., and the home state, and the population of the state. Allowances range from \$128,102 to \$474,426 per fiscal year. Expenditure categories include the following:

- (1) telecommunications equipment and services for Washington, D.C., and the home state, subject to regulations set by the Committee on Rules and Administration;
- (2) stationery and other office supplies, whether purchased from the Senate stationery store or elsewhere, and metered charges for use of copying equipment provided by the Senate sergeant at arms and doorkeeper. Costs of purchases from the stationery store are deducted from a Senator's account, while other purchases are reimbursable;
- (3) preparation of required official reports, acquisition of mailing lists to be used for official purposes, and the mailing, delivery, and transmittal of matters relating to official business;
- (4) mass mailings, for which \$50,000 is provided in a fiscal year for each Senator;
- (5) official office expenses incurred for an office in a Senator's home state other than for equipment and furniture and those expenses described in categories 1-3 (above);
- (6) publications printed or recorded for auditory and visual use, including subscriptions to books, newspapers, magazines, clipping, and other information services, purchases of books and other publications, and fees to access computer databanks;
- (7) travel expenses incurred by a Senator and employees in his or her office, including certain detailed employees, while traveling on official business within the United States. However, a Senator and employees are not reimbursed for travel expenses (other than actual transportation expenses) for travel occurring during the 60 days immediately before the date of any primary or general election in which the Senator is a candidate for public office;

- (8) additional office equipment and related services for Washington, D.C., and home state offices (but not including personal services), based upon regulations issued by the Senate Committee on Rules and Administration. Regulations include guidance on the placement, maintenance, inventory control, and disposition of equipment;
- (9) recording and photographic services and products obtained through the Senate recording and photographic studios; and
- (10) other official expenses as a Senator determines are necessary, such as conference fees, expenses for town meetings, and procurement of non-standard equipment, among other expenses.

Additionally, the official office expense account can be used to meet expenses incurred by individuals selected by a Senator to serve on a panel or other body making recommendations for nominees to federal judgeships, the position of U.S. attorney or U.S. marshal, service academies, and Pearson Fellow positions. Transportation, *per diem*, and certain other expenses incurred in performing duties as a member of such panel or other body are paid out of the office expense account.

The office expense account is to be used only for official office expenses by a Senator and his or her employees, with no limitation on the amount which can be spent in any one category.

Payment for, or reimbursement of, the following expenses is not allowed:

- (1) commuting, including parking fees incurred in commuting;
- (2) purchase of holiday greeting cards, flowers, trophies, awards, and certificates;
- (3) donations or gifts of any type, except gifts of flags flown over the United States Capitol, copies of the book, *We the People*, and copies of the calendar, *We the People*, published by the U.S. Capitol Historical Society.
- (4) dues or assessments;
- (5) purchase of radio or television time, or for space in newspaper or other print media, except classified advertising for personnel to be employed in a Senator's office;
- (6) expenses incurred by an individual who is not an employee, except an individual selected by a Senator to serve on a panel or other body that makes recommendations for nominees to service academies, federal judgeships, U.S. attorney and U.S. marshal positions, and Pearson Fellow positions;
- (7) travel expenses by employees in excess of those authorized by statute, except that, in cases of contested elections, *per diem* is not reimbursable 60 days prior to the election;

- (8) relocation expenses incurred by an employee in connection with the commencement or termination of employment, or change of duty station; and
- (9) compensation paid to an individual for personal services performed in a normal employer–employee relationship. This language has been interpreted to prohibit contracts for services between staff and Member. All personal office staff must be on the Senate payroll.

Payment of, or reimbursement for, the following expenses is specifically prohibited by law:

- (1) expenses incurred for entertainment or meals [2 U.S.C. 58 (a)];
- (2) payment of additional compensation to an employee [2 U.S.C. 68];
- (3) expenses incurred for the maintenance or care of private vehicles (contained in each annual legislative branch appropriations act); and
- (4) furniture from home state offices [2 U.S.C. 58(a)].

All expenses reimbursed to or on behalf of a Senator are required to be published in the semiannual *Report of the Secretary of the Senate*.

## **Official Mail Account**

Senators are authorized the privilege of sending mail as franked mail in the conduct of official business to assist them in their duties as Members of Congress. Requirements on use of the frank and mass mailings are established in statute and regulations and rules of the Senate, and interpretative rulings of the Senate Ethics Committee. Each Senator is authorized a specific dollar allotment for franked mail based on population. This amount is combined with each Senator's official office expense allowance.

## **Other Allowances**

**Senate Interns.** Senators may employ interns during the academic year and during the summer. Senators determine their own financial arrangements for such employment.

**Paper, Letterhead, and Envelope Allowance.** An annual paper allowance of blank sheets (memo, offset paper), letterheads, and white envelopes for each Senator is based on his or her state's voting age population. Senators from states with 3,000,000 or fewer voting–age constituents are entitled to 1,800,000 sheets of paper per year. All other Senators are entitled to 1-1/3 sheets of paper per year per adult constituent. The letterheads and envelopes allowance is based also on the voting age population of a Senator's state.

The range of sheets of paper is 1,800,000 to 30,394,667 pieces. The range for letterheads and envelopes is 180,000 to 1,872,399 pieces.

**Public Document Envelope Allowance.** Each Senator is entitled to a monthly allowance of public document envelopes imprinted with the Senator's frank. The allowance is based on state population and ranges from 50,000 to 100,000 envelopes. It is a two-year, cumulative allowance.

**Office Space in States.** Each Senator is authorized to secure, in an amount determined by law, suitable office space in federal buildings in the state he or she represents. In the event suitable office space is not available in federal buildings, a Senator is authorized to lease privately owned office space. The cost in private space is not to exceed the highest rate per square foot charged by the General Services Administration (GSA). The aggregate square feet of office space that can be secured for a Senator ranges in 13 categories from 5,000 square feet, if the population of the state is less than 3,000,000, to 8,200 square feet, if the state's population is 17,000,000, or more. There is no restriction on the number of offices.

**Mobile Office Space for Senators.** Each Senator is entitled to lease one mobile office for use only in the state he or she represents. He or she is authorized to be reimbursed for rent and nonpersonnel costs of operating the office. There are limitations on the terms of the lease, the maximum annual rental payment, and reimbursable operating costs. No reimbursement is to be made for expenses incurred during the 60 days preceding a contested election.

**Furniture and Furnishings in Washington, D.C.** Each Senator is authorized furniture and furnishings from an approved list. Furniture and furnishings are supplied and maintained by the Architect of the Capitol (for spaces in Senate office buildings) and the sergeant at arms (for offices in the Capitol). Additional furnishings can be purchased through the Senate stationery store. Examples of additional furnishings are U.S. flags, state flags, and flagpoles.

**Furniture and Furnishings in State Offices.** Each Senator is authorized a dollar amount of \$40,000 for state office furniture and furnishings for one or more offices, if the aggregate square feet of office space is not in excess of 5,000 square feet. The aggregate amount of \$40,000 is increased by \$1,000 for each authorized additional incremental increase in office space of 200 square feet. Therefore, the aggregate dollar amount ranges from \$40,000 to \$56,000. Law provides that this allowance is to be automatically increased at the beginning of each Congress to reflect inflation.

The aggregate dollar amount authorized represents the maximum dollar value of furniture and furnishings that may be checked out from stock of the General Services Administration (GSA) for use in state offices at any one time. Furniture and furnishings remain the property of GSA.

**Office Equipment in Washington, D.C., and State Offices.** Each Senator receives use of certain basic office equipment that is allocated in accordance with the population of the state he or she represents and other factors that have been stipulated by the Senate Committee on Rules and Administration.

## **Compensation and Allowances of the Vice President (As President of the Senate)**

### **Compensation**

\$175,400 per annum.

### **Expense Allowance**

\$10,000 per annum, not taxable or allowable as a deduction under the *Internal Revenue Code*, when reimbursed for actual expenses incurred.

### **Clerk Hire, as President of the Senate**

\$1,721,000 for FY2000.

### **Retirement**

Retirement benefits, based on age and length of service, as well as prior military and federal government service, are available to the Vice President, upon application.

### **Vice Presidential Protection**

The vice president is entitled to protection of the U.S. Secret Service.

## **Compensation and Allowances of the Speaker of the House of Representatives**

### **Compensation**

\$175,400 per annum.

### **Salaries and Expenses**

\$1,740,000 for FY2000, including funds for six statutory staff positions, a lump sum allowance, and \$25,000 for the Speaker's official expenses allowances. This amount is in addition to any other benefits received as an elected Member of the House. The lump sum allowance is statutorily authorized for personnel and non-personnel expenses.

### **Personnel**

The Speaker is allowed six statutory staff members and other personnel as needed as Speaker, in addition to his personnel allowance as a Representative.

## Retirement

The Speaker, as a Member of the House, is eligible to receive the same retirement benefits as a Member. A former Speaker is provided federal office space, equipment, furnishings, and staff for five years upon leaving office.

## Compensation of Other Congressional Officers and Officials

### House of Representatives

Majority and minority leaders	\$151,800 per annum
Chief administrative officer	\$135,200 per annum
Clerk of the House	\$135,200 per annum
Sergeant at arms	\$135,200 per annum
Legislative counsel	\$135,200 per annum
Law revision counsel	\$135,200 per annum
Parliamentarian	\$135,200 per annum
Inspector general	\$135,200 per annum
General counsel to House	\$135,200 per annum
Chaplain	\$135,200 per annum

### Senate

Majority and minority leaders	\$151,800 per annum
Secretary of the Senate	\$135,200 per annum
Sergeant at arms and doorkeeper	\$135,200 per annum
Legislative counsel	\$135,200 per annum
Senate legal counsel	\$135,200 per annum
Parliamentarian	\$133,900 per annum
President pro tempore (\$175,400 per annum when there is no Vice President)	\$151,800 per annum
Chaplain	\$118,400 per annum



## **Compensation of Standing Committee Employees**

### **House of Representatives**

The maximum salaries are \$135,200 per annum for up to three staff members (two majority and one minority); \$134,015 per annum for up to nine staff members (six majority and three minority)<sup>4</sup>; and a maximum of \$132,159 for other staff.

### **Senate**

The maximum salary is \$134,015 per annum.

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<sup>4</sup>The chairman of the House Appropriations Committee is authorized to establish the pay of 24 employees, with seven of those employees to be designated by the ranking minority member.

