

# CRS Report for Congress

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## Congressional Official Mail Costs

John S. Pontius  
Specialist in American National Government  
Government and Finance Division

### Summary

The congressional franking privilege allows Members of Congress to send official mail at government expense. During the past 15 years, franking reform efforts reduced franking expenditures by 70% from \$113.4 million in FY1988 to \$34 million in FY2004 (**Table 1**)<sup>1</sup>. House mail costs have decreased from a high of \$77.9 million in FY1988 to a low of \$13.9 million in FY2001. The Senate has dramatically reduced its costs, from \$43.6 million in FY1984 to \$2.9 million in FY2002. This report will be updated as legislative actions occur. See CRS Report RS20720, *Congressional Mail: History of the Franking Privilege and Options for Change*, and CRS Report RS20700, *Congressional Franking Privilege: An Overview*, by John Pontius.

The franking privilege, which dates from 1660, when it was first instituted by the British House of Commons, covers communications relating to the legislator's official and representational duties, such as letters commenting on legislation and casework, press releases, government reports, town meeting notices, and newsletters.<sup>2</sup> The privilege allows Members to send frankable mail bearing the official signature of the Member instead of a postage stamp.<sup>3</sup> The frank cannot be used to solicit votes or money or to send letters related to political campaigns or political parties.

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<sup>1</sup> In the 1980s, the costs of the franking privilege rose with the increased use of computer generated mail and mass mailings (newsletters, town meeting notices, and other mailings of 500 or more pieces that were of substantially identical content). Part of the higher mail costs were due to rising postal rates. First class mail rates increased 146% from 15 cents in 1980 to 37 cents in 2002. Standard mail (formerly third class) rates increased 122% from 6.7 cents in 1980 to 14.9 cents in 2002.

<sup>2</sup> In the United States the use of the frank began with the First Continental Congress, which passed legislation in 1775 giving its legislators free mailing privileges to better inform their constituents.

<sup>3</sup> John Samuels Pontius, "Franking," in *The Encyclopedia of the United States Congress*, 4 vols. (New York: Simon and Schuster, 1995), vol. 2, pp. 883-888.

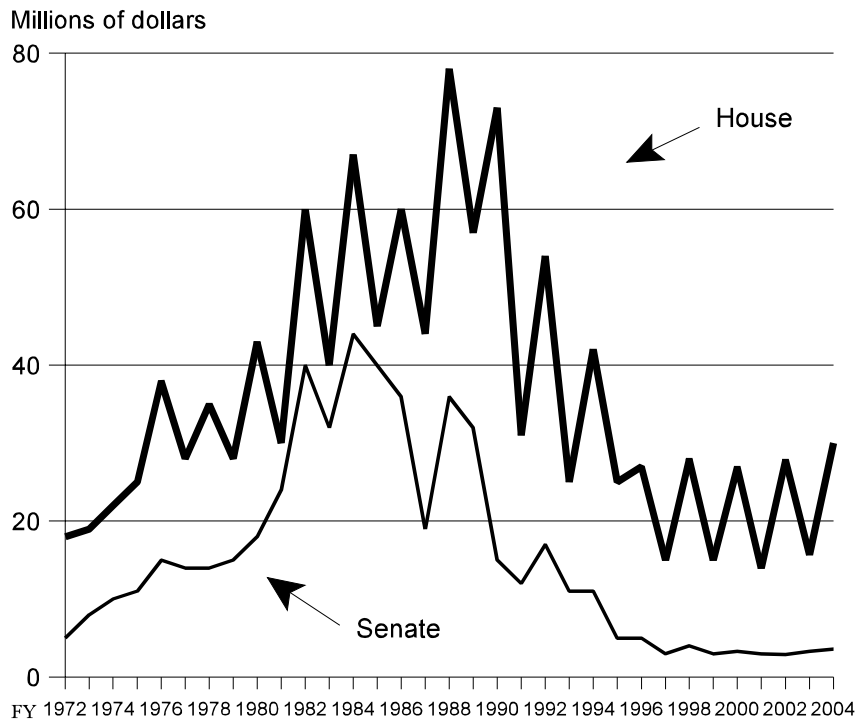
Although few would argue with the intent behind the frank — to help Members better communicate with their constituents — the privilege in recent years has been subjected to increased public criticism and extensive scrutiny by the media. Proponents of franking argue that, without the privilege, most Members could not afford to send important information to their constituents, in effect curtailing the delivery of ideas, reports, assistance, and services. Opponents, concerned with incumbent perquisites, mail costs, and the cost of Congress, have called for additional franking restrictions, including an outright ban on franking for Members, a prohibition on use of the frank in election years, and to allow free mailing privileges for electoral challengers.

Significant reforms have been adopted as a consequence of this debate. Although the cost of official congressional mail has fluctuated widely over the past 30 years, franking reform efforts have produced a more than 62% reduction in the last 15 years. **Figure 1** depicts in graphic form changes in official mail costs between FY1972 and FY2004.

### Mail Costs Reduced

Franking is not free. During FY2004, Congress spent \$34 million on official postage. Approximately 89% of these expenditures were by the House of Representatives and 11% by the Senate. Congress pays the U.S. Postal Service for franked mail through appropriations for the legislative branch. The House and Senate Appropriations Committees, and subsequently the respective chambers, determine the amount to be

**Figure 1. Official Mail Costs, by Chamber, House of Representatives and Senate, Fiscal Years 1972 - 2004**  
(in current dollars)

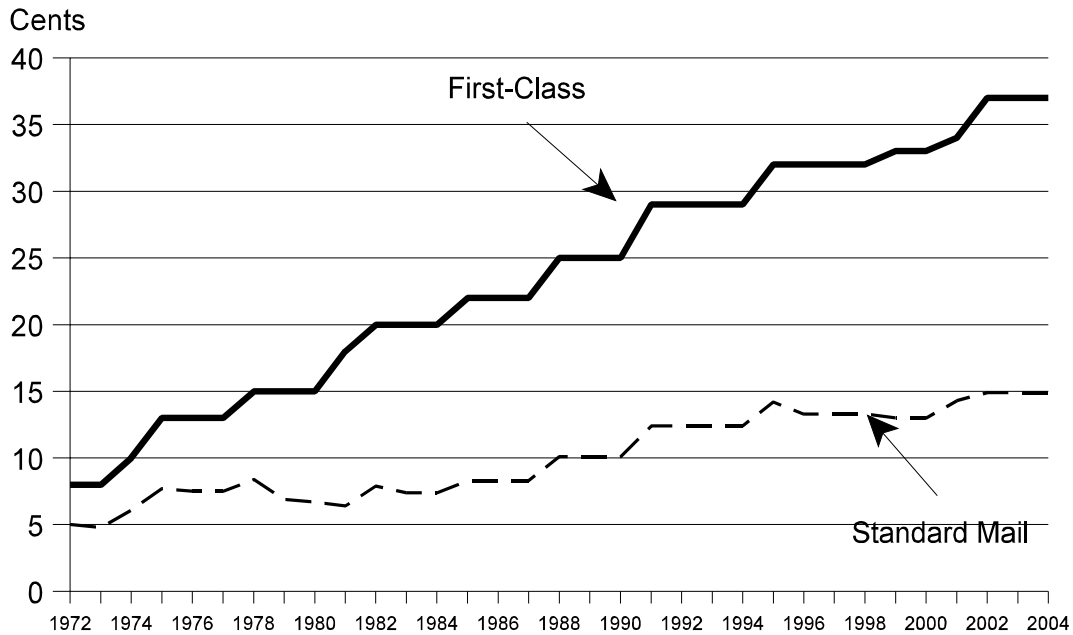


Source is U.S. Postal Service

appropriated for each of the two bodies. After the annual legislative branch appropriations act becomes law, each chamber makes an allotment to each Member. In the Senate, the allocated allowance is regulated by the Committees on Rules and Administration and Ethics; in the House, by the Committee on House Administration and Commission on Mailing Standards.<sup>4</sup>

The first major reform was instituted in 1989, when appropriations for congressional mail were separated into two accounts — one for the House and one for the Senate. This was done to allow each chamber greater control over its mail costs. Also in 1989, the Senate established an official mail allowance for each Member, and for the first time, required public disclosure of the costs of franked mailings. The House took similar action a year later. These reforms occurred during a time (1989 to 2004) when postal rates increased dramatically — first class mail rates increased by 48%, while standard (third class) mail rates increased by 47.5%. (See **Figure 2**.) As a consequence, the amount of mail Members could send to their constituents under the frank was further reduced.

**Figure 2. First Class and Standard Mail Rates, 1972-2004**



Source is U.S. Postal Service. Third class renamed standard mail, and that data is for presort discount standard rates.

As can be seen in **Figure 1**, Congress historically has spent more for official mail costs in election years than in non-election years. For example, the House spent \$30 million in FY2004, an election year and \$15.7 million in FY2003 a non-election year. Comparably, the Senate spent \$3.6 million in FY2004 and \$3.3 million in FY2003.

<sup>4</sup> Appropriations for official mail costs may not be supplemented by any funds from any source, public or private.

Although Members are prohibited from sending mass mailings for specific periods (90 days in the House<sup>5</sup> and 60 days in the Senate) prior to a primary, run-off, or general election in which they are a candidate, they do send a considerably higher volume of mail in the months immediately preceding the prohibition period. **Table 1** provides statistics on the dollar amounts (in current dollars) of House of Representatives, Senate, and total congressional mail costs between FY1972 and FY2004.

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<sup>5</sup> The 90 day pre-election cutoff in the House does not apply to solicited e-mail. On Sept. 8, 2003, the House Administration Committee announced a new policy relating to subscriber e-mail lists and updates:

A subscribed e-mail update is an e-mail sent to individuals who have subscribed to an e-mail list. Members must notify individuals who subscribe to e-mail updates that the individual is authorizing the Member to send regular e-mail updates from the Member's office to the individual's e-mail account. All e-mail updates to subscribers must contain an option that enables the individual to unsubscribe from the e-mail list. Members may send subscribed e-mail updates without obtaining an advisory opinion.

U.S. Congress, Committee on House Administration, Members' Congressional Handbook, "Subscribed E-mail Updates and Non-Subscribed E-mail Updates," 108<sup>th</sup> Cong., 1<sup>st</sup> sess., available at [<http://www.house.gov/cha/nhandbookbody1.htm> ], visited Dec. 13, 2004.

**Table 1. Official Mail Costs, House of Representatives and Senate  
FY1972 to FY2004**  
(in current dollars)<sup>a</sup>

<b>Fiscal Year</b>	<b>House</b>	<b>Senate</b>	<b>Total</b>
1972	\$ 18,422,602	\$ 4,783,735	\$ 23,206,337
1973	18,709,109	7,576,301	26,285,410
1974	21,781,570	9,520,673	31,302,243
1975	24,508,846	11,467,479	35,976,325
1976	38,340,515	14,633,188	52,973,703
Trans. qtr. <sup>b</sup>	14,924,536	4,250,238	19,174,774
1977	27,860,414	13,559,185	41,419,599
1978	35,109,000	13,817,000	48,926,000
1979	27,729,087	15,213,555	42,942,642
1980	43,421,682	18,484,220	61,905,902
1981	29,686,213	24,175,800	53,862,013
1982	59,894,236	40,143,989	100,038,225
1983	40,306,625	32,126,335	72,432,960
1984	67,348,392	43,608,944	110,957,336
1985	45,308,146	39,852,648	85,160,794
1986	60,400,595	35,538,040	95,938,635
1987	44,200,958	19,423,954	63,624,912
1988	77,852,082	35,507,565	113,359,647
1989	57,220,627	32,283,506	89,504,133
1990	72,942,800	15,001,842	87,944,642
1991	31,343,891	11,744,034	43,087,925
1992	54,339,650	17,422,313	71,761,963
1993	24,619,471	10,581,895	35,201,366
1994	42,372,044	10,647,268	53,019,312
1995	24,553,291	5,480,523	30,033,814
1996	28,990,765	5,096,346	34,087,111
1997	15,371,039	3,417,328	18,788,367
1998	27,726,139	3,629,446	31,355,585
1999	14,917,510	3,177,940	18,095,450
2000	27,020,352	3,308,242	30,328,594
2001	13,880,980	2,866,984	16,747,964
2002	27,896,810	2,856,051	30,752,861
2003	15,705,688	3,323,378	19,029,066
2004	30,040,867	3,631,452	33,672,319
<b>Total</b>	<b>\$1,204,746,532</b>	<b>\$518,151,397</b>	<b>\$1,722,897,929</b>

a. Costs are only for the cost of official (franked) mail sent by Congress.

b. The transition quarter (July 1, 1976, to Sept. 30, 1976) was required as a result of the change in the beginning of the Federal government fiscal year from July 1 to October 1. The FY1976 Legislative Branch Appropriations included funds for FY1976 and for the 3-month transition period.