

CRS Report for Congress

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Closing a Congressional Office: Overview and Guide to House and Senate Resources, 109th Congress

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Summary

The closure of a congressional office requires an outgoing Member of Congress to evaluate pertinent information regarding his or her staff, the disposal of personal and official records, and final disposition of office accounts, facilities, and equipment. In the past several years, the House and Senate have developed extensive resources to assist Members in closing their offices. These services are most typically used at the end of a Congress, as Members retire or their terms of service end. This report provides an overview of issues that could arise in closing a congressional office, and it provides a guide to resources for addressing those issues at the end of the 109th Congress through the appropriate support offices of the House and Senate.

In each Congress, there is turnover of membership in the House and Senate as Members of Congress retire or leave office for other reasons. These changes necessitate closing congressional offices. The closure of a congressional office requires an outgoing Member of Congress to evaluate pertinent information regarding his or her staff, the disposal of personal and official records, and final disposition of office accounts, facilities, and equipment. **Table 1** summarizes the numbers of Members leaving the House and Senate in the past 10 Congresses.

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**Table 1. Departures of Members of Congress,
100th - 109th Congresses**

Congress	Representatives	Senators
109 th ^a	38	6
108 th	46	8
107 th	57	10
106 th	46	13
105 th	49	8
104 th	77	17
103 rd	94	14
102 nd	110	15
101 st	44	5
100 th	34	9

Sources: Data for the 104th-109th Congresses are available on various Congressional Research Service Web pages, including “Retirements and New Members,” at [<http://www.crs.gov/reference/general/legislative/members.shtml#retirementsandnewmembers>]; “Congressional Departures, 105th Congress,” at [<http://www.crs.gov/staff/crd/congress/105depar.txt>]; and “Congressional Departures, 104th Congress,” at [<http://www.crs.gov/staff/crd/congress/104depar.txt>]. Data from Congresses prior to the 104th come from articles in *Roll Call*, *CQ Almanac*, the Senate Library, and other sources.

a. Through Nov. 3, 2006.

House Support. House office closing activities are supported by the Chief Administrative Officer (CAO), Clerk of the House, and House Sergeant at Arms. In the past several months, these chamber officers, in conjunction with the Architect of the Capitol (AOC), have provided Departing Member Briefings to offices planning to leave the House at the conclusion of the 109th Congress. In addition to the briefings, extensive resources related to closing a congressional office are available to House offices through the House intranet at [<http://housenet.house.gov/110transition/imdex.shtml>].¹

Senate Support. The Senate Sergeant at Arms provides office closing services through Office Support Services Customer Support Analysts (CSA) assigned to each Senate office. A CSA provides assistance with coordinating an initial closing office planning meeting between the office and all Senate support offices, and it facilitates the provision of the following:

¹ Materials in this report principally are drawn from the House intranet 110th Congress transition web page, at [<http://housenet.house.gov/110transition/imdex.shtml>], and other sources as noted.

- office equipment inventory reports;
- assistance with archiving documents;
- information on closing out financial obligations; and
- information on benefits and entitlements available to a Senator after leaving office.

When it becomes known that a Senate office will be closing, the Sergeant at Arms contacts that office to initiate closing support services. In addition, the Sergeant at Arms has produced a handbook, *Closing a Senate Office: Handbook for the 109th Congress*.²

Staff Issues

House. Payroll for staff of Members who are leaving office at the conclusion of the 109th Congress on January 3, 2007, will terminate automatically on January 2. The employing authority, a Member in the case of a personal office that is closing, determines whether outgoing staff are eligible to receive a lump sum payment for any accrued annual leave. Other potential benefits, including retirement plans, post-employment life or health insurance benefits, and student loan repayment programs, are administered through the House Office of Human Resources, according to statute and chamber regulation. The office will continue to interact with former House employees on a wide range of post-employment matters, including wage and earning statements, employee benefits, and any forms that must be completed by former employees.

In addition to staff procedures to support the closing of a Representative's office, the House provides certain post-employment services to departing staff, including

- a résumé referral service to House staff who desire employment with Members-elect, provided by the CAO;
- individual outplacement and technical assistance, as well as job search strategies and transitional techniques to separating employees of the House, provided by the House Outplacement Services Resource Center;
- help for affected employees focused on designing and developing a successful job search, provided by the Office of Employee Assistance.

Senate. Staffs of Senators who will leave office when their term of office officially expires at noon on January 3 of the year in which such a term ends remain on the payroll until the close of business on January 2³ of the year in which the Senator's term of office

² Materials in this report principally are drawn from U.S. Senate, Sergeant at Arms, *Closing a Senate Office: Handbook for the 109th Congress* (Washington: 2006); and *U.S. Senate Handbook*, appendix K., "Closing a Senator's Office," available to Senate offices at [<http://webster.senate.gov>]; and other sources as noted.

³ The regular term for a United States Senator is from noon on January 3 of the year following election to noon on January 3, six years later. The six-year period for pay and allowances, including staff salaries, has been established by the Senate for accounting purposes as being from a full day of January 3 through the full day of January 2.

expires, unless terminated sooner.⁴ The Senate Disbursing Office addresses issues related to the termination of employment of departing staff and provides information on the available options to staff regarding post-employment insurance and retirement programs and other benefits.

The Senate Placement Office provides application and referral service for professionals and support staff, and it can assist outgoing Senate employees who are seeking positions in new congressional offices. The departing staff who are interested in this service must complete an application form and be interviewed by a personnel specialist. Placement office personnel then review applications and send them to offices with matching available positions.

Records⁵

House. According to the Clerk of the House, the files generated by a Member's congressional office and accumulated in the course of service in the House are the personal property of the Member. The House pays for point-to-point shipping of all official records and papers for departing Members of that chamber. Official papers are generally described as those materials that may be mailed under franking regulations. Other materials, including memorabilia, photographs, and documents that do not relate to official business must be shipped or disposed of at the outgoing Member's expense.⁶ Guidance regarding records management is available from the Office of the Clerk. Shipping of records is carried out by the House CAO.

Senate. The Senate *Records Management Handbook* notes that neither statute nor the standing rules of the Senate define which items constitute a Senator's papers. For management purposes, the Secretary of the Senate defines Senators' papers as "all records, regardless of physical form and characteristics, that are made or received in connection with an individual's career as a United States Senator."⁷ The manual notes that, by tradition and practice, any such records are the private property of the individual Senator. The principal exclusion from Senator's papers are committee records that are

⁴ When a Senator's office is closed due to the death or resignation of the Senator, employees are continued on the Senate payroll at their respective salaries for a period not to exceed 60 days after the last day of the Senator's service, and not beyond the close of business of the last day of the which the Senator's term of office would normally expire. Under most circumstances staff duties would be performed under the direction of the Secretary of the Senate. If a Senator who was appointed is not a candidate or if a candidate is not elected, employees are continued on the payroll at the respective salaries for a period not to exceed 30 days after the date of termination of the Senator's service, or until they have become otherwise gainfully employed, whichever occurs earlier.

⁵ House material in this section is based on U.S. House, Office of the Clerk, *Records Management Manual for Members of the U.S. House Of Representatives*, Publication M-1 (Washington: Dec. 2005), and other sources as noted. Senate material is based on U.S. Senate, Secretary of the Senate, *Records Management Handbook for United States Senators and Their Archival Repositories*, S.Pub. 109-19 (Washington: GPO, 2006), and other sources as noted.

⁶ Chief Administrative Officer staff at the House 110th Congress Departing Member Briefing, Oct. 26, 2006.

⁷ U.S. Senate, *Records Management Handbook*, p. 5.

defined by statute and Senate standing rules to be records of the Senate.⁸ Senate office closing guidelines specify a detailed process for the handling of a Senator's records.

The National Archives and Records Administration (NARA) provides courtesy storage facilities to Members of Congress for records created in Capitol Hill offices at the Washington National Records Center (WNRC) in Suitland, Maryland, and at regional storage facilities around the country for records generated in state or district offices. NARA courtesy storage expires at the conclusion of a Member's term of office.⁹ WNRC can be reached at 301-778-1650. Contact information for NARA regional facilities is available at [<http://www.archives.gov/locations/>].

Accounts

House. The House Office of Finance requests that contact information for each closing office be provided to expedite resolution of final payments to vendors.

Senate. Closing offices must settle several accounts, with units of the Secretary of the Senate and the Sergeant at Arms, as well as other government agencies.¹⁰ The Senate Disbursing Office is authorized by law to withhold Senators and staff's final paychecks if accounts with the recording studio, the Senate restaurants, or the Stationery Room do not reflect a zero balance.

Facilities

House. The Architect of the Capitol advises that departing Members must vacate their Washington, DC, offices not later than noon on December 1, 2006.¹¹ A Departing Member Service Center to outgoing Members provides functional workspace for departing Members and staff once their office suites are vacated. The center is secured by the U.S. Capitol Police and has a central administrative center that is staffed by CAO employees. Each departing Member office is assigned a single cubicle that can accommodate the Member and one other person at any given time. Each cubicle is equipped with a telephone, networked computer, and basic supplies. Facilities will be available November 27 through December 15, 2006, on a first-come, first-served basis. Members must vacate district office space on or before January 2, 2007.

Senate. Senators may remain in their personal offices in Washington, DC, until their terms of office expire. Senators leasing federal office premises or commercial space in their home states must notify the General Services Administration (GSA) or private landlord in writing at least 30 days in advance of their intention to vacate the premises.

⁸ Committee rules are defined as records of the Senate in 44 U.S.C. 2118; 2 U.S.C. 72 a; and Senate Rules XI and XXVI.

⁹ Based on discussions with NARA staff in the Congressional Affairs Office, Oct. 3-4, 2006

¹⁰ Other government agencies include the Architect of the Capitol, Office of the Attending Physician, Senate restaurants, United States Botanic Garden, Library of Congress, National Gallery of Art, and Federal Election Commission.

¹¹ Architect of the Capitol staff at the House 110th Congress Departing Member Briefing, Oct. 26, 2006.

The Sergeant at Arms requires that a copy of an intent to vacate letter be provided to his office at the same time it is provided to landlords. All office space must be vacated by the close of business on January 2 of the year in which the Senator's term expires.

Office Furniture and Equipment

House. House Support Services (HSS) staff will begin scheduling final equipment inventories for the Capitol Hill offices of departing Members shortly after the November elections. GSA is responsible for performing the final inventory for the district office locations of departing Members. All furniture and equipment (including copiers, faxes, telecommunication systems, computers, personal digital assistants, and any other equipment used to support office operations), whether used in office settings, or in the residences of Members and staff, must be accounted for in those inventories. Representatives are allowed to purchase their chairs and desks only from the Washington, DC, inventory. In district offices, succeeding Members will inherit all of the equipment and furniture items of the outgoing Member. If the succeeding Member chooses not to use office items of the departing Member, those items will then become available for purchase by the departing Member.

Senate. Furnishings in a departing Senator's personal and Capitol offices¹² remain in place. Keys for Capitol offices must be returned to Sergeant at Arms Capitol Facilities. The Asset Management Section of the Sergeant at Arms conducts an inventory of all office and information technology (IT) related equipment in closing offices. Telecommunications equipment must be returned to the Senate. Outgoing Senators may purchase select office equipment and non-historical furniture used in their Capitol Hill offices. Emergency equipment, including annunciators, escape hoods, emergency supply kits (go kits), and victim rescue units, will be inventoried by the Office of Security and Emergency Preparedness (OSEP).

Further information

House. Further information regarding closing a Member office in the House may be obtained by House offices through the House intranet at [<http://housenet.house.gov/110transition/index.shtm>].

Senate. Further information regarding closing a Member office in the Senate, may be obtained by contacting the Senate Sergeant at Arms, Office Support Services.

¹² This refers to a Senator's personal Capitol office.