



CRS Report for Congress

Secretary of the Senate: Legislative and Administrative Duties

Jacob R. Straus
Analyst on the Congress
Government and Finance Division

Summary

The Secretary of the Senate is an officer of the Senate elected at the beginning of each Congress by the membership of the Senate. The Secretary has financial, administrative, and legislative responsibilities derived from law, Senate rules, and other sources. In addition, the Senate Committee on Rules and Administration maintains oversight authority over the Secretary of the Senate and issues policies and regulations governing the Secretary's duties and responsibilities. The Secretary of the Senate was established during the First Congress (1789-1791) when Samuel Allyne Otis was elected on April 8, 1789.¹

History of the Secretary of the Senate

The first Secretary of the Senate, Samuel Allyne Otis, was elected on April 8, 1789, two days after the Senate first achieved a quorum.² The Secretary of the Senate was initially responsible for keeping the minutes and records of the Senate, transmitting messages to the House of Representatives, and purchasing supplies.³

Today, the Secretary of the Senate's jurisdiction has been expanded far beyond the original duties. These additional responsibilities include supervision of the clerks, curators, official recorders of debates, and the parliamentarian; the disbursement of payroll; the education of the Senate pages;⁴ and the maintenance of public records. The

¹ This report revises an earlier report by Paul E. Dwyer, who recently retired as a Specialist in American National Government at CRS.

² Senate debate, *Annals of the Congress of the United States*, vol. 1 (Apr. 6, 1789), pp. 17-18.

³ U.S. Congress, Senate Historical Office, *Secretary of the Senate*, [http://www.senate.gov/artandhistory/history/common/briefing/secretary_senate.htm], accessed Aug. 12, 2008.

⁴ 2 U.S.C. § 88b.

Secretary serves as the chief financial officer of the Senate and is custodian of the Senate seal.⁵

Origins of Duties and Responsibilities

The duties and responsibilities of the Secretary of the Senate have developed over time through several sources. These sources include statutes, Senate rules and orders, and custom and precedent. Statutes, rules and orders, and other materials may be found in

- the *United States Code*, which is the codification, by subject matter, of the general and permanent laws of the United States;⁶
- the *United States Statutes at Large*, which is the collection of all laws and resolutions enacted during each session of Congress;⁷
- the *Senate Manual*, which contains the texts of the (1) Standing Rules of the Senate, (2) standing orders of the senate, (3) rules for the Regulation of the Senate Wing of the United States Capitol, and (4) excerpts from laws applicable to the Senate;⁸ and
- through custom and precedent.⁹

⁵ U.S. Congress, Secretary of the Senate, “Senate Seal” [http://www.senate.gov/artandhistory/history/common/briefing/Senate_Seal.htm], accessed Aug. 19, 2008. The Senate seal is based on the Great Seal of the United States and is inscribed with E Pluribus Unum on a shield of thirteen stars and thirteen vertical stripes. The seal also has olive and oak branches to symbolize peace and strength, a red liberty cap and crossed fasces to represent freedom and authority, emanating blue beams of light and the words “United States Senate.” The seal is placed on impeachment documents and resolutions consenting to international treaties, resolutions recognizing appointments, and resolutions recognizing commendation and notable achievements. See also, “Senate Seal,” *Congressional Record*, vol. 17, part 1 (Mar. 21, 1885), p. 71; “Senate Seal,” *Congressional Record*, vol. 17, part 1 (Mar. 31, 1885), p. 96; and U.S. Congress, *Riddick’s Senate Procedure: Precedents and Practices*, 101st Cong., 2nd sess., S.Doc. 101-28 (Washington: GPO, 1992), p. 1231.

⁶ The *U.S. Code* can be found online at the Office of the Law Revision Counsel website, [<http://uscode.house.gov/search/criteria.shtml>], accessed Aug. 12, 2008.

⁷ The *Statutes at Large* is prepared and published by the Office of the Federal Register at the National Archives and Records Administration (NARA). For more information see [<http://www.archives.gov/federal-register/publications/statutes.html>], accessed Aug. 12, 2008.

⁸ U.S. Congress, Senate Committee on Rules and Administration, *Senate Manual — Containing the Standing Rules, Orders, Laws, and Resolutions Affecting the Business of the United States Senate*, S.Doc. 107-1, 107th Cong., 1st sess. (Washington: GPO, 2002). The *Senate Manual* has not been published since the 107th Congress. The Standing Rules of the Senate were most recently published on September 14, 2007, and can be found on the Senate Committee on Rules and Administration website [<http://rules.senate.gov/senaterules>], visited Aug. 12, 2008.

⁹ For example of some of the precedents of the Senate see, U.S. Congress, *Riddick’s Senate Procedure: Precedents and Practices*, 101st Cong., 2nd sess., S.Doc. 101-28 (Washington: GPO, 1992).

Many of the duties of the Secretary of the Senate are defined by the Senate Committee on Appropriations and the Senate Committee on Rules and Administration. As a consequence of its jurisdiction over Senate administrative matters, the Senate Committee on Rules and Administration oversees operations of the Secretary of the Senate.

Areas of Responsibility

The Secretary of the Senate's duties and responsibilities can be divided into three broad categories: financial, administrative, and legislative.¹⁰

Financial Responsibilities. The Secretary is the chief financial officer of the Senate. As such, the Secretary is responsible for funds appropriated to the Senate and for managing and supervising the disbursing office, which among its financial duties handles the Senate payroll and related personnel matters. The Secretary also conducts audits of Senate financial activities. Details on expenditures of funds appropriated to the Senate are published semi-annually by the Secretary in the Senate document, *Report of the Secretary of the Senate*.¹¹

Administrative Responsibilities. The Secretary of the Senate is responsible for a number of services within the Senate. These responsibilities include

- the Senate Stationery Room;
- the Senate Library;
- the Conservation and Preservation Office;
- the Office of Public Records;¹²
- the Senate Historical Office;¹³
- the Office of Senate Curator;
- the Office of Senate Security;
- the Office of Interparliamentary Services;¹⁴
- the Office of Printing and Document Services;
- the Disbursing Office;

¹⁰ U.S. Congress, Senate Historical Office, "April 8, 1789: Help Wanted — The Senate Elects a Secretary" [http://www.senate.gov/artandhistory/history/minute/Help_Wanted_-_The_Senate_Elects_A_Secretary.htm], accessed Aug. 12, 2008.

¹¹ 2 U.S.C. § 104a.

¹² The Office of Public Records processes and maintains records filed with the Secretary, including records relating to campaign expenses, lobbying disclosure, financial disclosure, the Code of Conduct, gifts, mass mailings, political fund designees, Senate services, and foreign travel reimbursement reports. For more information on the Office of Public Records, see [http://www.senate.gov/pagelayout/legislative/g_three_sections_with_tasers/legislative_home.htm], accessed Aug. 12, 2008.

¹³ For more information on the Senate Historical Office, see U.S. Congress, Senate Historical Office [http://www.senate.gov/artandhistory/history/common/generic/Senate_Historical_Office.htm], accessed Aug. 19, 2008.

¹⁴ The Office of Interparliamentary Services represents the Senate to foreign parliamentary delegations and assists Senators with international travel.

- the Senate Page Program;¹⁵ and
- the Senate Gift Shop (including Gift Shop Revolving Fund).

Other duties of the Secretary of the Senate include maintenance of the Senate public website; supervision of Senate staff displaced by the death or resignation of a Senator; and supervision of the Senate legal counsel.

Legislative Responsibilities. The Secretary of the Senate manages functions that support the legislative process in the Senate, such as signing legislation after Senate passage.¹⁶ The Secretary also supervises the following staff (listed with their roll in the Senate legislative process):

- Bill Clerk (records the Senate’s official activities and status of legislation);
- Enrolling Clerk (prepares Senate-passed legislation before it is sent to the President);
- Executive Clerk (records Senate actions during executive sessions, produces the Executive Calendar, and processes nominations and treaty resolutions received from the President);
- Journal Clerk (records the Senate’s daily legislative proceedings and prepares a history of legislation for the *Senate Journal*);
- Legislative Clerk (reads aloud bills and amendments, the *Senate Journal*, messages to the Senate; calls the roll and prepares the daily Calendar of Business);
- Official Reporters of Debates (prepare verbatim reports of Senate floor proceedings for the *Congressional Record*); and
- Parliamentarian (advises Senators and staff on Senate precedents and rules, precedents, and statutes related to Senate proceedings).

In addition, the Secretary of the Senate manages the following offices:

¹⁵ For more information on the Senate page program see CRS Report 98-758, *Pages of the United States Congress: Selection, Duties, and Program Administration*, by Mildred Amer; and CRS Report RL33685, *Pages of the United States Congress: History, Background Information, and Proposals for Change*, by Mildred Amer.

¹⁶ On January 3, 1947, the Secretary presided over the opening activities of the Senate, a job normally handled by the vice president or, in his absence, the president pro tempore of the Senate. In this case, Secretary of the Senate Leslie L. Biffle presided as a result of Harry Truman becoming president following President Franklin D. Roosevelt’s death in 1945. See *Congressional Record*, vol. 93, part 1 (Jan. 3, 1947), p. 3.

- *Daily Digest* (preparing the resume of each day's activities of the Senate for the *Congressional Record*, including committee hearings and meetings, and floor actions);
- *Captioning Services Office* (provides captions of Senate proceedings for the hearing-impaired);
- *Continuity of Operations Program* (supports the Senate's ability to conduct business and access data at an offsite location, in conjunction with the Senate Sergeant at Arms).

See [http://www.senate.gov/reference/office/secretary_of_senate.htm] for further information on the history, structure, and operation of the Secretary of the Senate's office.

Table 1. Secretary of the Senate

Congress (in which service began)	Secretary of the Senate	Term Began	Term Concluded
1 st (1789-1791)	Samuel Allyne Otis	April 8, 1789	April 22, 1814 ^a
13 th (1813-1815)	Charles Cutts	October 12, 1814	December 12, 1825
19 th (1825-1827)	Walter Lowrie	December 12, 1825	December 5, 1836
24 th (1835-1837)	Asbury Dickins	December 13, 1836	July 15, 1861
37 th (1861-1863)	John W. Forney	July 15, 1861	June 4, 1868
40 th (1867-1869)	George C. Gorham	June 6, 1868	March 24, 1879
46 th (1879-1881)	John C. Burch	March 24, 1879	July 28, 1881 ^b
48 th (1883-1885)	Anson G. McCook	December 18, 1883	August 7, 1893
53 rd (1893-1895)	William Ruffin Cox	August 7, 1893	January 31, 1899
56 th (1899-1901)	Charles G. Bennett	February 1, 1900	March 13, 1913
63 rd (1913-1915)	James M. Baker	March 13, 1913	May 19, 1919
66 th (1919-1921)	George A. Sanderson	May 19, 1919	April 24, 1925
69 th (1925-1927)	Edwin Pope Thayer	December 7, 1925	March 9, 1933
73 rd (1933-1935)	Edwin A. Halsey	March 9, 1933	January 29, 1945
79 th (1945-1947)	Leslie Biffle	February 8, 1945	January 4, 1947 ^c
80 th (1947-1949)	Carl A. Loeffler	January 4, 1947	January 3, 1949
81 st (1949-1951)	Leslie Biffle	January 3, 1949	January 3, 1953
83 rd (1953-1955)	J. Mark Trice	January 3, 1953	January 5, 1955
84 th (1955-1957)	Felton M. Johnston	January 5, 1955	December 30, 1965
89 th (1965-1967)	Emery L. Frazier	January 1, 1966	September 30, 1966 ^d

Congress (in which service began)	Secretary of the Senate	Term Began	Term Concluded
	Francis R. Valeo	October 1, 1966	March 31, 1977
95 th (1977-1979)	J. Stanley Kimmitt	April 1, 1977	January 4, 1981
97 th (1981-1983)	William F. Hildenbrand	January 5, 1981	January 2, 1985
99 th (1985-1987)	Jo-Anne L. Coe	January 3, 1985	January 6, 1987 ^e
100 th (1987-1995)	Walter J. Stewart	January 6, 1987	April 15, 1994
103 rd (1993-1995)	Martha S. Pope	April 15, 1994	January 3, 1995
104 th (1995-1997)	Sheila P. Burke	January 4, 1995	June 7, 1995
	Kelly D. Johnston	June 8, 1995	September 30, 1996
	Gary Lee Sisco	October 1, 1996	July 11, 2001
107 th (2001-2003)	Jeri Thomson	July 12, 2001	January 6, 2003
108 th (2003-2005)	Emily J. Reynolds	January 7, 2003	January 4, 2007
110 th (2007-2009)	Nancy Erickson	January 4, 2007	Present

Source: Senate Historical Office [http://www.senate.gov/artandhistory/history/common/briefing/secretary_senate.htm], accessed Aug. 19, 2008.

Notes:

^a Samuel Otis died in office four days after the end of the second session of the 13th Congress. When the third session convened on September 19, 1814, Chief Clerk Samuel Turner, Jr., was sworn in as acting secretary. Turner served until Charles Cutts took office the following month.

^b Francis E. Shober was elected Acting Secretary on October 25, 1881 and served until December 18, 1883. Shober continued to serve as a result of an equally divided Senate that could not choose a permanent secretary.

^c Leslie Biffle also served as Acting Secretary between January 29 and February 8, 1945, following Edwin Halsey's death.

^d Frazier was elected on August 20, 1965 by S.Res. 140 which specified that his term begin on January 1, 1966 and terminate on September 30, 1966. Frazier was sworn in on October 22, 1965 and began his service on January 1, 1966.¹⁷

^e Jo-Anne Coe was the first woman to serve as Secretary of the Senate.

¹⁷ Senate Journal, Volume 174, page 955(89th Congress, 1st session).