

CRS Report for Congress

Congressional Salaries and Allowances

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Congressional Salaries and Allowances

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 lists the salaries of congressional officers and officials and committee staff.

Sources are hearings, reports, debates, and language of regular annual and supplemental legislative branch appropriations acts; the *U.S. Code* and *U.S. Code Annotated Supplements* to Title 2; latest Order of the Speaker of the House of Representatives, implementing a pay increase for House employees, effective January 1, 2008, issued January 8, 2008 (to be contained in 2 U.S.C. 60a-2a); latest publicly available Order of the President pro tempore, implementing a pay increase for Senate employees, issued February 16, 2007 (contained in 2 U.S.C. 60a-1); the *Members' Congressional Handbook* (web edition), prepared by the Committee on House Administration, for Members and staff of the U.S. House of Representatives, available at [http://cha.house.gov/members_handbook.aspx]; the quarterly *Statement of Disbursements of the House*, compiled by the House Chief Administrative Officer, April 1, 2008, to June 30, 2008 (110th Congress, 2nd session, H.Doc. 110-136, part 3 of 3, pp. 3317-3331); and the Office of Personnel Management for executive level pay rates to which some legislative employees are statutorily linked.

This report will be updated as information is made available.

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Congressional Salaries and Allowances

Compensation of Members of Congress and Related Benefits¹

Compensation

Compensation for Representatives and Senators is \$169,300 in 2008.

Outside Earned Income and Honoraria Limits

Permissible outside earned income for Representatives and Senators is limited to 15% of their salary.² Certain types of outside earned income however are prohibited. A Member may not receive compensation for affiliating with or being employed by a firm, partnership, association, corporation, or other entity providing professional services involving a fiduciary relationship; allowing his/her name to be used by such a firm, partnership, association, corporation, or other entity; practicing a profession involving a fiduciary relationship; serving as a member or officer of the board of an association, corporation, or other entity; and teaching without prior notification to and approval of the Senate Select Committee on Ethics, in the case of Senators, or the House Committee on Standards of Official Conduct, in the case of Representatives.

Representatives and Senators are also prohibited from accepting honoraria. The acceptance of honoraria was prohibited by Senators effective August 14, 1991. Senators who earned honoraria prior to that date were entitled to retain their earnings.

Tax Deductions

Members 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.³

¹ This report was originally written by Paul E. Dwyer, formerly a Specialist in American National Government at CRS, who has since retired. The listed author updated the report and is available to answer questions concerning its contents.

² Outside earned income generally includes monetary wages, salaries, fees, and any other sums received as payment for personal services rendered.

³ See CRS Report RL30868, *Tax Rules and Rulings Specifically Applicable to Members Of Congress*, by John R. Luckey.

Health and Life Insurance Provisions

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 Provisions

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.⁴

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 they were elected. This allowance is the Members' representational allowance (MRA). The MRA is calculated based on three components, including 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 due to variations in the distance between a Member's district and Washington, DC, for the mileage allowance, cost of office space in his or her district for the space allowance, and number of non-business addresses in his or her district for the mail allowance.

The three components result in a single MRA authorization for each Representative that can be used to pay for any of the official expenses. In calendar year 2008, the Members' representational allowances range from \$1,299,292 to \$1,637,766.⁵ Allowances are authorized from January 3 of each year through January 2 of the following year.

⁴ See CRS Report RL30631, *Retirement Benefits for Members of Congress*, by Patrick J. Purcell.

⁵ U.S. Congress, House, *Statement of Disbursements of the House*, as compiled by the Chief Administrative Officer, from January 1, 2008, to March 31, 2008, part 3 of 3, H.Doc. 110-106, 110th Cong., 2nd sess. (Washington: GPO, 2008), pp. 3593-3607. Range is inclusive of Members sworn in before the start of the second session of the 110th Congress.

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

All personnel, office, and official mail expenses reimbursed to or on behalf of a Member are reported in the quarterly *Statement of Disbursements of the House*.

Personnel Allowance

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

Each Member was entitled to an annual personnel allowance of \$874,951 in 2008 for no more than 18 permanent employees.⁶ 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.

Pursuant to a Pay Order issued for 2008, employees' salaries are set at annual rates of not more than \$163,795.⁷

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 \$194,980 was authorized for each Member in 2008.⁸ There are two allowances in addition to the base allowance:

⁶ Ibid., p. 3593.

⁷ U.S. Congress, House, Order of the Speaker of the House of Representatives, implementing a pay increase for House employees, effective January 1, 2008, issued January 8, 2008 (to be contained in 2 U.S.C. 60a-2a [<http://uscode.house.gov>]).

⁸ U.S. Congress, House, *Statement of Disbursements of the House*, as compiled by the Chief Administrative Officer, from January 1, 2008, to March 31, 2008, part 3 of 3, H.Doc. 110-106, 110th Cong., 2nd sess. (Washington: GPO, 2008), p. 3593.

- (1) a sum for travel based on the following formula: 64 times the rate per mile (see table below) multiplied by the mileage between Washington, DC, and the furthest point in a Member’s district,⁹ plus 10%. The rate per mile used to calculate the 2008 allowance was as follows:

Mileage Between Washington, DC, and the Furthest Point in a Member’s District	Rate Per Mile
Fewer than 500 miles	\$.96
500 to 749 miles	.86
750 to 999 miles	.66
1,000 to 1,749 miles	.60
1,750 to 2,249 miles	.51
2,250 to 2,499 miles	.48
2,500 to 2,999 miles	.43
3,000 miles or more	.36

The minimum mileage amount is \$6,200 for a Member.

- (2) the dollar equivalent to 2,500 square feet multiplied by the applicable rental rate per square foot charged federal agencies by the administrator of the General Services Administration in a Member’s district.

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

The representational allowance is not to be used to defray any personal, political, or campaign-related expenses. A Member also may not use campaign funds to pay for expenses related to his or her official and representational duties; may not use committee funds to pay for official representational expenses; may not use an unofficial office account to support official and representational duties; accept from a private source any in kind assistance with a monetary value for an official activity; and may not use personal funds to pay for franked mail.

A Member is responsible for personally paying for any official and representational expenses that are in excess of his or her representational allowance or that are not reimbursable under regulations of the Committee on House Administration.¹⁰

⁹ Distance is based on the Rand McNally Standard Highway Mileage Guide.

¹⁰ For more details, see U.S. Congress, House Committee on House Administration, (continued...)

Official Mail Allowance (Franking Privilege)¹¹

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 the use of the frank and mass mailings are established in statute and the regulations and rules of the House. Use of the frank is the personal responsibility of each Representative.¹²

The franked mail postage allowance is based on a formula in which the rate of a single piece of first class mail is multiplied by three, and the resulting figure is multiplied by the number of non-business addresses in a Representative's district.¹³ The Committee on House Administration set the 2008 official mail allowance for each Member at 45% of the calculation based on the above formula.¹⁴ 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.¹⁵

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.

Other Allowances

Government Publications. Each Representative is entitled to receive certain government publications and printed products. These include, for example, copies of the daily *Congressional Record*, one copy of *Deschler's Precedents*, various manuals and directories, and public document franked envelopes.¹⁶

¹⁰ (...continued)

Members' Congressional Handbook (regulations governing Members' representational allowances). The web edition is available at [<http://cha.house.gov/PDFs/MembersHandbook.pdf>].

¹¹ For additional information, see CRS Report RL34274, *Franking Privilege: Historical Development and Options for Change*, by Matthew Eric Glassman.

¹² *Ibid.*

¹³ The number of addresses is determined by the postmaster general. The number is not to include business delivery stops.

¹⁴ U.S. Congress, House, *Statement of Disbursements of the House*, as compiled by the Chief Administrative Officer, from January 1, 2008, to March 31, 2008, part 3 of 3, H.Doc. 110-106, 110th Cong., 2nd sess. (Washington: GPO, 2008), p. 3593.

¹⁵ Regulations on the proper use of the frank are set by the House Commission on Congressional Mailing Standards.

¹⁶ For additional information, see "Information Services for Members of Congress," GPO Publication 250.4, January 2007, pp. 2-3, available at [<http://www.gpo.gov/congressional/pdfs/InformationService.pdf>].

Travel Allowance for Organizational Caucuses or Conferences.

Each Member-elect and one designated staff person who attend an organizational caucus or conference are to be paid for one round trip each between their places of residence in the district and Washington, DC, for the purpose of attending such caucus or conference. Each incumbent Member reelected to the ensuing Congress and one designated staff person who attend an organizational caucus or conference also receive this allowance.

Each Member-elect (other than an incumbent Member reelected to the ensuing Congress) who attends such a 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 state population, distance from Washington, DC, to home states, and committee authorized limits. The administrative and clerical allowance varies for each Senator since it is based on state population. The office expense allowance also varies for each Senator due to the travel allowance component, which is based on the distance between Washington, DC, and their home state, and the mail allowance component, which is based on the number of addresses in their states. The legislative assistance allowance is a set amount for all Senators.

The total amount available to a Senator is the sum of the two personnel allowances (administrative and clerical assistance and legislative assistance) and the office expense allowance. Preliminary figures for the total of the three allowances available for Senators, which were included in the Senate Appropriations Committee report accompanying the FY2008 Legislative Branch Appropriations bill, include a range from \$2,757,743 to \$4,416,993.¹⁷

All funds made available to each Senator for the three allowances can be interchanged by the Senator. For example, funds available for office expenses can be used to pay office personnel salaries, and visa versa. Interchanges are limited by official mail regulations that are issued by the Senate Committee on Rules and

¹⁷ U.S. Congress, Senate Committee on Appropriations, *Legislative Branch Appropriations, 2008*, report to accompany H.R. 2771, 110th Cong., 1st sess., S.Rept. 110-89 (Washington: GPO, 2007), p. 20.

Administration.¹⁸ The three allowances are funded together in a single appropriation subaccount “Senators’ Official Personnel and Office Expense Account,” within the appropriation account “Contingent Expenses of the Senate.”

Appropriations are available to support only the official duties of Senators, and appropriations are 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 that exceed the set allowances of the individual accounts.

All personnel, office, and official mail expenses reimbursed to or on behalf of a Senator are required to be published in the semiannual *Report of the Secretary of the Senate*.

Personnel Allowances: Administrative and Clerical Assistance and Legislative Assistance

Two personnel allowances are available for each Senator to use for staff employment in his or her Washington congressional office and home state office(s). In 2007, each Senator was authorized to set the rates of compensation for staff in his or her personal offices at a rate not to exceed \$160,659 per person.¹⁹

Administrative and Clerical Assistance Allowance. The administrative and clerical assistance allowance is allocated according to the population of a Senator’s state. The FY2008 Senate report included preliminary allowance figures that varied from \$2,147,165 for a Senator representing a state with a population under 5,000,000 to \$3,467,575 for a Senator representing a state with a population of 28,000,000 or more.²⁰

Legislative Assistance Allowance. According to the FY2008 Senate report, each Senator is authorized \$481,977 to appoint up to three legislative assistants, to be paid a maximum of \$160,659 each per annum.²¹

Official Office Expense Allowance

Senators are authorized the use of an official office expense allowance for official Senate business. Each Senator’s account varies depending upon factors used

¹⁸ Ibid., p. 19

¹⁹ Source is Order of the President pro tempore, implementing a pay increase for Senate employees, issued February 16, 2007, (contained in 2 U.S.C. 60a-1 and available at [<http://uscode.house.gov>]). The figure in this report will be revised to reflect the calendar year 2008 pay rate when the President pro tempore’s order implementing the 2008 pay increase is publicly available in the *U.S. Code Annotated, 2009* supplement to 2 U.S.C. 60a-1.

²⁰ U.S. Congress, Senate Committee on Appropriations, *Legislative Branch Appropriations, 2008*, report to accompany H.R. 2771, 110th Cong., 1st sess., S.Rept. 110-89 (Washington: GPO, 2007), p. 20.

²¹ Ibid.

in setting the individual allowance amounts. These factors are primarily the distance between Washington, DC, and the home state, the population of the state, and the official mail allocation. In FY2008, allowances ranged from \$128,601 to \$467,441.²² The office expense account is to be used only for official office expenses by a Senator and his or her employees.

Official Mail Allowance

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 the use of the frank and mass mailings are established in statute, regulations and rules of the Senate, and interpretative rulings of the Senate Ethics Committee. Each Senator is authorized a specific dollar allocation for franked mail, largely based on the number of addresses in his or her state.

Other Allowances

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

Office Space in States. Each Senator is authorized to secure, in an amount determined by law, suitable office space in federal building(s) in the state he or she represents. In the event suitable office space is not available in a federal building, a Senator is authorized to lease privately owned office space. The cost of private space is not to exceed the highest rate per square foot charged by the General Services Administration (GSA). The aggregate square footage of office space that can be secured for a Senator ranges 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.²³ 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. Senators are 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.²⁴

Furniture and Furnishings in Washington, DC. 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 Senate Sergeant at Arms (for offices in the Capitol). Additional furnishings can be purchased through the Senate stationery store.

²² Ibid.

²³ 2 U.S.C. 59(b).

²⁴ 2 U.S.C. 59(f).

Furniture and Furnishings in State Offices. Each Senator is authorized \$40,000 for state office furniture and furnishings for one or more offices, if the aggregate square footage of office space does not exceed 5,000 square feet. The base authorization is increased by \$1,000 for each authorized additional incremental increase in office space of 200 square feet.²⁵ Under the FY2000 Legislative Branch Appropriations Act, this allowance is to be automatically increased at the beginning of each Congress to reflect inflation.²⁶

The aggregate dollar amount is the maximum value of furniture and furnishings to be provided by GSA for state office use at any one time. Furniture and furnishings remain GSA property.

Office Equipment in Washington, DC, and State Offices. Each Senator may use certain basic office equipment 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.

Government Publications. Each Senator is entitled to receive certain government publications and printed products. These include, for example, copies of the daily *Congressional Record*, one copy of *Deschler's Precedents*, various manuals and directories, and public document franked envelopes.²⁷

²⁵ 2 U.S.C. 59(c)(2).

²⁶ P.L. 106-57, 113 Stat. 412, September 29, 1999; 2 U.S.C. 59(c)(2).

²⁷ For additional information, see "Information Services for Members of Congress," GPO Publication 250.4, January 2007, pp. 2-3, available at [<http://www.gpo.gov/congressional/pdfs/InformationService.pdf>].

Compensation of Other Congressional Officers and Officials

House of Representatives²⁸

Majority and Minority Leaders	\$188,100 per annum
Chief Administrative Officer	\$167,800 per annum
Clerk of the House	\$167,800 per annum
Sergeant at Arms	\$167,800 per annum
Legislative Counsel	\$167,800 per annum
Law Revision Counsel	\$167,800 per annum
Parliamentarian	\$167,800 per annum
Inspector General	\$167,800 per annum
Director, Interparliamentary Affairs	\$167,800 per annum
Director, Emergency Planning, Preparedness, and Operations	\$167,800 per annum
General Counsel to House	\$167,800 per annum
Chaplain	\$167,800 per annum

²⁸ Source is U.S. Congress, House, Order of the Speaker of the House of Representatives, implementing a pay increase for House employees, effective January 1, 2008, issued January 8, 2008 (to be contained in 2 U.S.C. 60a-2a). Estimates may also be obtained by examining the quarterly *Statement of Disbursements of the House*.

Senate²⁹

President pro tempore (\$221,100 per annum if the position of Vice President is vacant)	\$188,100 per annum ³⁰
Majority and Minority Leaders	\$188,100 per annum
Secretary of the Senate	\$163,700 per annum (in 2007)
Sergeant at Arms and Doorkeeper	\$163,700 per annum (in 2007)
Legislative Counsel	\$163,700 per annum (in 2007)
Senate Legal Counsel	\$163,700 per annum (in 2007)
Parliamentarian	\$162,515 per annum (in 2007)
Chaplain	\$149,000 per annum ³¹

²⁹ The source for salaries of officers and officials of the Senate in 2007, excluding the Chaplain, the President pro tempore, and the majority and minority leaders, is the Order of the President pro tempore, implementing a pay increase for Senate employees, issued February 16, 2007 (2 U.S.C. 60a-1, available at [<http://uscode.house.gov>]). The figure in this report will be revised to reflect the calendar year 2008 pay rate when the President pro tempore's order implementing the 2008 pay increase is publicly available in the *U.S. Code Annotated, 2009* supplement to 2 U.S.C. 60a-1. Estimates may also be obtained by examining the semi-annual *Report of the Secretary of the Senate*.

³⁰ The President pro tempore is paid \$221,100 (2008 rate) if there is a vacancy in the position of Vice President. The U.S. Constitution provides that the Vice President shall serve as President of the Senate, and that when the Vice President is absent from the Senate, the President pro tempore presides in his place. During a vacancy in the position of the Vice President, the President pro tempore is considered the temporary, full-time President of the Senate and receives the increased salary rate (2 U.S.C. 32).

³¹ The Chaplain is paid the same as federal officials in Level IV of the Executive Schedule.

Compensation of Standing Committee Employees

House of Representatives

The maximum salaries for employees of committees, as established in the 2008 pay order, are \$167,800 per annum for up to three staff members (two majority and one minority); \$166,018 per annum for up to nine staff members (six majority and three minority);³² and a maximum of \$163,795 for other staff.³³

Senate

In 2007, the maximum salary for employees of standing committees was \$162,515 per annum.³⁴

³² The chairman of the House Committee on Appropriations may establish the salaries for 24 staff, seven of which are to be designed by the ranking minority party member.

³³ Source is Order of the Speaker of the House of Representatives, implementing a pay increase for House employees, effective January 1, 2008, issued January 8, 2008 (to be contained in 2 U.S.C. 60a-2a).

³⁴ The source for salaries of officers and officials of the Senate in 2007 is the Order of the President pro tempore, implementing a pay increase for Senate employees, issued February 16, 2007 (contained in 2 U.S.C. 60a-1 and available at [<http://uscode.house.gov>]). The figures in this report will be revised to reflect the calendar year 2008 pay rate when the President pro tempore's order implementing the 2008 pay increase is publicly available in the *U.S. Code Annotated, 2009* supplement to 2 U.S.C. 60a-1. Estimates may also be obtained by examining the semi-annual *Report of the Secretary of the Senate*.