



# Secretary of the Senate: Legislative and Administrative Duties

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## **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.

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## History of the Secretary of the Senate

The first Secretary of the Senate, Samuel Allyn Otis, was elected on April 8, 1789, two days after the Senate first achieved a quorum.<sup>1</sup> 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.<sup>2</sup>

Today, the Secretary of the Senate's jurisdiction has been expanded 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;<sup>3</sup> and the maintenance of public records. The Secretary also serves as the chief financial officer of the Senate and is the custodian of the Senate seal.<sup>4</sup>

In the event that the Secretary dies, resigns, or is disabled, the Assistant Secretary of the Senate acts as Secretary until a new Secretary is elected or the disability has ended. Acting jointly, only the majority and minority leaders and the President pro tempore can certify that the Secretary is unable to perform her duties.<sup>5</sup>

## 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;<sup>6</sup>
- the *United States Statutes at Large*, which is the collection of all laws and resolutions enacted during each session of Congress;<sup>7</sup>

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<sup>1</sup> Senate debate, *Annals of the Congress of the United States*, vol. 1 (April 6, 1789), pp. 17-18.

<sup>2</sup> U.S. Congress, Senate Historical Office, *Secretary of the Senate*, at [http://www.senate.gov/artandhistory/history/common/briefing/secretary\\_senate.htm](http://www.senate.gov/artandhistory/history/common/briefing/secretary_senate.htm).

<sup>3</sup> 2 U.S.C. § 88b.

<sup>4</sup> U.S. Congress, Secretary of the Senate, "Senate Seal," at [http://www.senate.gov/artandhistory/history/common/briefing/Senate\\_Seal.htm](http://www.senate.gov/artandhistory/history/common/briefing/Senate_Seal.htm). 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 (March 21, 1885), p. 71; "Senate Seal," *Congressional Record*, vol. 17, part 1 (March 31, 1885), p. 96; U.S. Congress, *Riddick's Senate Procedure: Precedents and Practices*, 101<sup>st</sup> Cong., 2<sup>nd</sup> sess., S.Doc. 101-28 (Washington: GPO, 1992), p. 1231; and *Senate Manual Containing the Standing Rules, Orders, Laws, and Resolutions Affecting the Business of the United States Senate*, "§ 120, Seal of the Senate," 110<sup>th</sup> Cong., 2<sup>nd</sup> sess., S.Doc. 110-1 (Washington: GPO, 2008), p. 181.

<sup>5</sup> 2 U.S.C. § 46b.

<sup>6</sup> The *U.S. Code* can be found online at the Office of the Law Revision Counsel website, at <http://uscode.house.gov>.

<sup>7</sup> The *Statutes at Large* is prepared and published by the Office of the Federal Register at the National Archives and (continued...)

- 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;<sup>8</sup> and
- through custom and precedent.<sup>9</sup>

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.<sup>10</sup>

### 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*.<sup>11</sup>

### 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;

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Records Administration (NARA). For more information see <http://www.archives.gov/federal-register/publications/statutes.html>.

<sup>8</sup> 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. 110-1, 110<sup>th</sup> Cong., 1<sup>st</sup> sess. (Washington: GPO, 2008). The *Senate Manual* has not been published since the 110<sup>th</sup> Congress. The Standing Rules of the Senate can be found on the Senate Committee on Rules and Administration website, at <http://rules.senate.gov/public/index.cfm?p=RulesOfSenateHome>.

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

<sup>10</sup> U.S. Congress, Senate Historical Office, "April 8, 1789: Help Wanted—The Senate Elects a Secretary," at [http://www.senate.gov/artandhistory/history/minute/Help\\_Wanted\\_-\\_The\\_Senate\\_Elects\\_A\\_Secretary.htm](http://www.senate.gov/artandhistory/history/minute/Help_Wanted_-_The_Senate_Elects_A_Secretary.htm).

<sup>11</sup> 2 U.S.C. § 104a.

- the Conservation and Preservation Office;
- the Office of Public Records;<sup>12</sup>
- the Senate Historical Office;<sup>13</sup>
- the Office of Senate Curator;
- the Office of Senate Security;
- the Office of Interparliamentary Services;<sup>14</sup>
- the Office of Printing and Document Services;
- the Disbursing Office;
- the Senate Page Program;<sup>15</sup> and
- the Senate Gift Shop (including Gift Shop Revolving Fund).<sup>16</sup>

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.<sup>17</sup> 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);

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<sup>12</sup> 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\\_teasers/legislative\\_home.htm](http://www.senate.gov/pagelayout/legislative/g_three_sections_with_teasers/legislative_home.htm).

<sup>13</sup> For more information on the Senate Historical Office, see U.S. Congress, Senate Historical Office, at [http://www.senate.gov/artandhistory/history/common/generic/Senate\\_Historical\\_Office.htm](http://www.senate.gov/artandhistory/history/common/generic/Senate_Historical_Office.htm).

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

<sup>15</sup> For more information on the Senate page program see CRS Report 98-758, *Pages of the United States Congress: History and Program Administration*, by (name redacted).

<sup>16</sup> 2 U.S.C. § 121d.

<sup>17</sup> 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 (January 3, 1947), p. 3.

- 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:

- *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).

## Appendix. Secretary of the Senate

Since 1789, 32 men and women have been elected Secretary of the Senate. **Table A-1** lists those individuals, the Congress, when their terms began, and when their terms concluded.

**Table A-1. Secretary of the Senate**

Congress (in which service began)	Secretary of the Senate	Term Began	Term Concluded
1 <sup>st</sup> (1789-1790)	Samuel Allyne Otis	April 8, 1789	April 22, 1814 <sup>a</sup>
13 <sup>th</sup> (1813-1814)	Charles Cutts	October 12, 1814	December 12, 1825
19 <sup>th</sup> (1825-1826)	Walter Lowrie	December 12, 1825	December 5, 1836
24 <sup>th</sup> (1835-1836)	Asbury Dickins	December 13, 1836	July 15, 1861
37 <sup>th</sup> (1861-1862)	John W. Forney	July 15, 1861	June 4, 1868
40 <sup>th</sup> (1867-1868)	George C. Gorham	June 6, 1868	March 24, 1879
46 <sup>th</sup> (1879-1880)	John C. Burch	March 24, 1879	July 28, 1881 <sup>b</sup>
48 <sup>th</sup> (1883-1884)	Anson G. McCook	December 18, 1883	August 7, 1893
53 <sup>rd</sup> (1893-1894)	William Ruffin Cox	August 7, 1893	January 31, 1099
56 <sup>th</sup> (1899-1900)	Charles G. Bennett	February 1, 1900	March 13, 1913
63 <sup>rd</sup> (1913-1914)	James M. Baker	March 13, 1913	May 19, 1919
66 <sup>th</sup> (1919-1920)	George A. Sanderson	May 19, 1919	April 24, 1925
69 <sup>th</sup> (1925-1926)	Edwin Pope Thayer	December 7, 1925	March 9, 1933
73 <sup>rd</sup> (1933-1934)	Edwin A. Halsey	March 9, 1933	January 29, 1945
79 <sup>th</sup> (1945-1946)	Leslie Biffle	February 8, 1945	January 4, 1947 <sup>c</sup>
80 <sup>th</sup> (1947-1948)	Carl A. Loeffler	January 4, 1947	January 3, 1949
81 <sup>st</sup> (1949-1950)	Leslie Biffle	January 3, 1949	January 3, 1953
83 <sup>rd</sup> (1953-1954)	J. Mark Trice	January 3, 1953	January 5, 1955
84 <sup>th</sup> (1955-1956)	Felton M. Johnston	January 5, 1955	December 30, 1965
89 <sup>th</sup> (1965-1966)	Emery L. Frazier	January 1, 1966	September 30, 1966 <sup>d</sup>
	Francis R. Valeo	October 1, 1966	March 31, 1977
95 <sup>th</sup> (1977-1978)	J. Stanley Kimmitt	April 1, 1977	January 4, 1981
97 <sup>th</sup> (1981-1982)	William F. Hildenbrand	January 5, 1981	January 2, 1985
99 <sup>th</sup> (1985-1986)	Jo-Anne L. Coe	January 3, 1985	January 6, 1987 <sup>e</sup>
100 <sup>th</sup> (1987-1988)	Walter J. Stewart	January 6, 1987	April 15, 1994
103 <sup>rd</sup> (1993-1994)	Martha S. Pope	April 15, 1994	January 3, 1995
104 <sup>th</sup> (1995-1996)	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 <sup>th</sup> (2001-2002)	Jeri Thomson	July 12, 2001	January 6, 2003
108 <sup>th</sup> (2003-2004)	Emily J. Reynolds	January 7, 2003	January 4, 2007



<b>Congress (in which service began)</b>	<b>Secretary of the Senate</b>	<b>Term Began</b>	<b>Term Concluded</b>
110 <sup>th</sup> (2007-2008)	Nancy Erickson	January 4, 2007	Present

**Source:** Senate Historical Office [http://www.senate.gov/artandhistory/history/common/briefing/secretary\\_senate.htm](http://www.senate.gov/artandhistory/history/common/briefing/secretary_senate.htm).

- a. Samuel Otis died in office four days after the end of the second session of the 13<sup>th</sup> 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, with the adoption of 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 (Senate Journal, Vol. 174, page 955 (89<sup>th</sup> Congress, 1<sup>st</sup> session)).
- e. Jo-Anne Coe was the first woman to serve as Secretary of the Senate.

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