

CRS Report for Congress

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Congressional Salaries and Allowances

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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 provides the salaries and allowances available to the Speaker of the House and the Vice President, as President of the Senate, and 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; current Order of the Speaker of the House of Representatives, implementing a pay increase for House employees, effective January 1, 2004, issued January 3, 2004 (to be contained in 2 U.S.C. 60a-2a, [<http://uscode.house.gov/usc.htm>] and *U.S. Code Annotated* 2004 supplement to 2 U.S.C. 60a-2a to be printed in spring 2005); latest available Order of the President pro tempore, implementing a pay increase for Senate employees, effective January 1, 2003, issued December 19, 2002, and amended March 27, 2003 (see 2 U.S.C. 60a-1, [<http://uscode.house.gov/usc.htm>] and to be printed in the *U.S. Code Annotated* 2003 supplement to 2 U.S.C. 60a-1 in spring 2004); *House Members' Congressional Handbook* (2003 edition), prepared by the Committee on House Administration, [<http://www.house.gov/cha/nhandbookbody1.htm#1>]; the *U.S. Code*; the *U.S. Code Annotated*; and quarterly *Statement of Disbursements of the House*, compiled by the House Chief Administrative Officer, April 1, 2003, to June 30, 2003 (108th Congress, first session, H.Doc. 108-106, part 2 of 2, pp. 3229-3243); 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 Benefits

Compensation

Compensation is \$157,000 per annum for Representatives and Senators.

Outside Earned Income and Honoraria Limits

Permissible outside earned income for Representatives and Senators is limited to 15% of their salary.¹ Certain types of outside earned income however are prohibited.² 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.

¹ Outside earned income generally includes monetary wages, salaries, fees, and any other sums received as payment for personal services rendered.

² Members may not receive compensation for affiliating with a firm, partnership, association, corporation, or other entity providing professional services involving a fiduciary relationship; allowing his/her name to be used by a firm, partnership, association, corporation, or other entity; practicing a profession involving fiduciary relationships; serving as a member or officer of the board of an association, corporation, or other entity; and teaching without prior notification 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.

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.³

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, comprised of three individual allowances, each of which has a separate authorized dollar limit. The three allowances are 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. Appropriations allocated for each allowance can be used to pay expenses from any of the three allowances.

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."

The Members' representational allowances ranged from \$701,136 to \$1,636,750 in calendar year 2003.⁴ Allowances are authorized from January 3 of each year through January 2 of the following year.

³ See CRS Report RL30631, *Retirement Benefits for Members of Congress*, by Patrick Purcell.

⁴ U.S. Congress, House, *Statement of Disbursements of the House*, as compiled by the Chief Administrative Officer, from Apr. 1, 2003 to June 30, 2003, part 2 of 2, H. Doc. 108-106, 108th Cong., 1st sess., (Washington: GPO, 2003), pp. 3230-3243.

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 \$748,312 in 2003 for no more than 18 permanent employees.⁵ 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.

Employees' salaries are set at annual rates of not more than \$151,974.⁶

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 \$187,236 was authorized to each Member in 2003.⁷ There are two allowances in addition to the base allowance:

- (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,⁸ plus 10%. The rates per mile that apply are as follows:

⁵ *Ibid.*, p. 3229.

⁶ U.S. Congress, House, Order of the Speaker of the House of Representatives, implementing a pay increase for House employees, effective Jan. 1, 2004, issued Jan. 3, 2004 (to be contained in 2 U.S.C. 60a-2a, [<http://uscode.house.gov/usc.htm>] and *U.S. Code Annotated* 2004 supplement to 2 U.S.C. 60a-2a to be printed in spring 2005).

⁷ U.S. Congress, House, *Statement of Disbursements of the House*, compiled by the Chief Administrative Officer, from Apr. 1, 2003 to June 30, 2003, p. 3229.

⁸ Distance is based on the Rand McNally Standard Highway Mileage Guide.

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 costs, office equipment lease, district office rental, stationery (including 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 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.⁹

Official Mail Allowance (Franking Privilege)

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.

⁹ U.S. Congress, House, Committee on House Administration, *Members' Congressional Handbook* (regulations governing the Members' Representational Allowance of the House of Representatives), 2003 [<http://www.house.gov/cha/nhandbookbody1.htm#1>].

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.¹⁰ The Committee on House Administration set the calendar year 2002 official mail allowance for each Member at 45% of the calculation based on the above formula.¹¹

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.¹²

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

Public Document Envelope Allowance. Each Representative is entitled to an allowance of 40,000 brown or white "Public Document" envelopes per month, imprinted with the Representative's frank. The allowance is cumulative during the two sessions of Congress.

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 place 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.

¹⁰ The number of addresses is determined by the postmaster general. The number is not to include business delivery stops.

¹¹ U.S. Congress, House, *Statement of Disbursements of the House*, compiled by the Chief Administrative Officer, from Apr. 1, 2003, to June 30, 2003, p. 3229.

¹² Regulations on the proper use of the frank are set by the Committee on House Administration and the House Commission on Congressional Mailing Standards.

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 formula and authorized limits. The legislative assistance allowance is a set amount for all Senators.

All 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."

The total amount available to a Senator is the total of the two personnel allowances (administrative and clerical assistance and legislative assistance) and the office expenses allowance combined. Within this limit, a Senator is permitted to use funds as he or she determines, subject to the regulations applicable to official mail.¹³ The total allowance for all three components ranges from \$2,264,345 to \$3,751,995 for FY2004.¹⁴

The combined account is available to support only the official duties of Senators. The account is 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).

¹³ Regulations applicable to official mail are set by the Senate Committee on Rules and Administration.

¹⁴ Source is U.S. Congress, Senate, Committee on Appropriations, *Legislative Branch Appropriations, 2004*, report to accompany S. 1383, 108th Cong., 1st sess., S.Rept. 108-88, July 10, 2003 (Washington: GPO, 2003), pp. 19-20. The allowance was increased effective Jan. 1, 2003, pursuant to an Order of the President pro tempore, implementing a pay increase for Senate employees, effective Jan. 1, 2003, issued Dec. 19, 2002, and amended Mar. 27, 2003 (see 2 U.S.C. 60a-1, [<http://uscode.house.gov/usc.htm>] and *U.S. Code Annotated* 2003 supplement to 2 U.S.C. 60a-1 to be printed in spring 2004).

Administrative and Clerical Assistance Allowance. The administrative and clerical assistance allowance is allocated according to the population of a Senator's state. The allowance varies from \$1,685,301 for a Senator representing a state with a population under 5,000,000 to \$2,833,718 for a Senator representing a state with a population of 28,000,000 or more.¹⁵

Each Senator was authorized to set the rates of compensation for staff in his or her personal offices at a figure not to exceed \$150,159 per person in 2003.¹⁶

Legislative Assistance Allowance. In 2003, the allowance authorized each Senator \$450,477 for the appointment of three legislative assistants, to be paid at a maximum annual rate of \$150,159.¹⁷

Official Office Expense Allowance

Senators are authorized the use of an official office expense allowance for official Senate business. Each Senator's account varies due to factors used 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. Allowances range from \$128,567 to \$467,800 annually.¹⁸ The office expense account is to be used only for official office expenses by a Senator and his or her employees.

Official Mail Account

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, based on the number of addresses in his or her state. This amount is combined with each Senator's official office expense allowance. The official mail allocations range from \$31,746 to \$298,850.¹⁹

¹⁵ Ibid.

¹⁶ Source is Order of the President pro tempore, implementing a pay increase for Senate employees, effective Jan. 1, 2003, issued Dec. 19, 2002, and amended Mar. 27, 2003 (see 2 U.S.C. 60a-1, [<http://uscode.house.gov/usc.htm>] and *U.S. Code Annotated* 2003 supplement to 2 U.S.C. 60a-1 to be printed in spring 2004). This figure will be revised when the President pro tempore's order implementing the 2004 pay increase is available.

¹⁷ U.S. Congress, Senate Committee on Appropriations, *Legislative Branch Appropriations Bill, 2004*, report to accompany S. 1383, 108th Cong., 1st sess., S.Rept. 108-88, July 10, 2003 (Washington: GPO, 2003), p. 19.

¹⁸ U.S. Congress, Senate, Committee on Appropriations, *Legislative Branch Appropriations, 2004*, pp. 19-20.

¹⁹ Ibid.

Other Allowances

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

Office Space in States. Each Senator is authorized to secure, in an amount determined by law, suitable office space in federal buildings in the state he or she represents. In the event suitable office space is not available in federal buildings, a Senator is authorized to lease privately owned office space. The cost in 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 range in 13 categories 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.²⁰ 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. He or she is authorized to be reimbursed for rent and the 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.

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 sergeant at arms (for offices in the Capitol). Additional furnishings can be purchased through the Senate stationery store. Examples of additional furnishings are U.S. flags, state flags, and flagpoles.

Furniture and Furnishings in State Offices. Each Senator is authorized a dollar amount of \$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 aggregate amount of \$40,000 is increased by \$1,000 for each authorized additional incremental increase in office space of 200 square feet.²¹ Law provides that this allowance is to be automatically increased at the beginning of each Congress to reflect inflation.

The aggregate dollar amount is the maximum dollar value of furniture and furnishings to be checked out from General Services Administration (GSA) stock 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.

²⁰ 2 U.S.C. 59(b).

²¹ 2 U.S.C. 59(c)(2).

Compensation and Allowances of the Vice President (As President of the Senate)

Compensation

Compensation is \$201,600 per annum.

Expense Allowance

The annual allowance of \$20,000 is not taxable or allowable as a deduction when the Member is reimbursed for actual expenses incurred.²²

Salaries

Appropriation is \$ 2,028,000 for FY2004.

Retirement

Retirement benefits, based on age and length of service, as well as prior military and federal government service, are available to the Vice President, upon application.

Compensation and Allowances of the Speaker of the House of Representatives

Compensation

Compensation is \$201,600 per annum.

Expenses and Salaries

Appropriation is \$2,630,000 for FY2004, including \$25,000 for official expenses of the Speaker. This amount is available in addition to any other benefits the Speaker receives as an elected Member of the House.

Personnel

The Speaker is allowed personnel as needed as Speaker, in addition to the personnel allowance received as a Representative.

²² 2 U.S.C. 111; P.L. 108-7, 117 Stat. 13, Feb. 20, 2003, FY2003 Legislative Branch Appropriations Act.

Retirement

The Speaker, as a Member of the House, is eligible to receive the same retirement benefits as a Member. A former Speaker is provided federal office space, equipment, furnishings, and staff for five years after leaving office.²³

Compensation of Other Congressional Officers and Officials

House of Representatives²⁴

Majority and Minority Leaders	\$174,500 per annum
Chief Administrative Officer	\$155,500 per annum
Clerk of the House	\$155,500 per annum
Sergeant at Arms	\$155,500 per annum
Legislative Counsel	\$155,500 per annum
Law revision Counsel	\$155,500 per annum
Parliamentarian	\$155,500 per annum
Inspector General	\$155,500 per annum
General Counsel to House	\$155,500 per annum
Chaplain	\$155,500 per annum

²³ See CRS Report RS20099, *Former Speakers of the House: Office Allowances, Franking Privileges, and Staff Assistance*, by Paul E. Dwyer.

²⁴ The Majority and Minority Leaders are paid at the same rate of pay as federal officials in Level I of the Executive Schedule [2 U.S.C. 31 and 2 U.S.C. 362; P.L. 101-194, 103 Stat. 1766, Nov. 30, 1989, Title VII, sec. 701(i)]. Executive Schedule Level I positions include cabinet-level officials. Source for other positions is U.S. Congress, House, Order of the Speaker of the House of Representatives, implementing a pay increase for House employees, effective Jan. 1, 2004, issued Jan. 3, 2004 (to be contained in 2 U.S.C. 60a-2a, [<http://uscode.house.gov/usc.htm>] and *U.S. Code Annotated* 2004 supplement to 2 U.S.C. 60a-2a to be printed in spring 2005).

Senate²⁵

Majority and Minority Leaders	\$174,500 per annum (in 2004)
Secretary of the Senate	\$153,200 per annum (in 2003)
Sergeant at Arms and Doorkeeper	\$153,200 per annum (in 2003)
Legislative Counsel	\$153,200 per annum (in 2003)
Senate Legal Counsel	\$153,200 per annum (in 2003)
Parliamentarian	\$152,015 per annum (in 2003)
President pro tempore (\$201,600 per annum when there is no Vice President)	\$174,500 per annum (in 2004)
Chaplain	\$136,000 per annum (in 2004) ²⁶

Compensation of Standing Committee Employees**House of Representatives**

The maximum salaries are \$155,500 per annum for up to three staff members (two majority and one minority); \$154,036 per annum for up to nine staff members (six majority and three minority);²⁷ and a maximum of \$151,974 for other staff.²⁸

²⁵ The 2003 figures will be revised when the President pro tempore's order implementing the 2004 pay increase is available. The Majority and Minority Leaders and the President pro tempore of the Senate are paid at the same rate as federal officials in Level I of the Executive Schedule [2 U.S.C. 31 and 2 U.S.C. 362; P.L. 101-194, 103 Stat. 1766, Nov. 30, 1989, Title VII, Sec. 701(i)]. Executive Schedule Level I positions include cabinet-level officials. The Secretary of the Senate, the Sergeant at Arms, the Legislative Counsel, and the Legal Counsel are paid the same salary as officers and officials of the House, including the Clerk, Sergeant at Arms, Chief Administrative Officer, Legislative Counsel, Law Revision Counsel, Parliamentarian, Inspector General, General Counsel to House, and Chaplain. Current salaries of Senate officers and officials are contained in the Order of the President pro tempore, implementing a pay increase for Senate employees, effective Jan. 1, 2003, issued Dec. 19, 2002, and amended Mar. 27, 2003 (see 2 U.S.C. 60a-1, [<http://uscode.house.gov/usc.htm>] and *U.S. Code Annotated* 2003 supplement to 2 U.S.C. 60a-1 to be printed in spring 2004).

²⁶ The Chaplain is paid the same as federal officials in Level IV of the Executive Schedule.

²⁷ 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.

²⁸ Source is U.S. Congress, House, Order of the Speaker of the House of Representatives, implementing a pay increase for House employees, effective Jan. 1, 2004, issued Jan. 3, 2004 (to be contained in 2 U.S.C. 60a-2a, [<http://uscode.house.gov/usc.htm>] and *U.S. Code Annotated* 2004 supplement to 2 U.S.C. 60a-2a to be printed in spring 2005).

Senate

The maximum salary in 2003 was \$152,015 per annum.²⁹

²⁹ Source is Order of the President pro tempore, implementing a pay increase for Senate employees, effective Jan. 1, 2003, issued Dec. 19, 2002, and amended Mar. 27, 2003 (see 2 U.S.C. 60a-1, [<http://uscode.house.gov/usc.htm>] and *U.S. Code Annotated* 2003 supplement to 2 U.S.C. 60a-1 in spring 2004). This figure will be revised when the President pro tempore's order implementing the 2004 pay increase is available.