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Senators' Official Personnel and Office Expense Account (SOPOEA): History and Usage

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February 25, 2016

Congressional Research Service
7-5700
www.crs.gov
R44399

CRS REPORT
Prepared for Members and
Committees of Congress

Summary

The Senators' Official Personnel and Office Expense Account (SOPOEA) is available to assist Senators in their official duties. The allowance is provided on a fiscal year basis (i.e., October 1-September 30). Funding is provided in the annual legislative branch appropriations bills.

Senators have a high degree of flexibility to use the SOPOEA to operate their offices in a way that supports their congressional duties and responsibilities, and individual office spending may be as varied as the states from which the Senators are elected.

This appropriations account has decreased in recent years, from a high of $422.0 million in FY2010 to $390.0 million in FY2014, a decrease of 7.6%. The appropriation remained at the FY2014 level in the FY2015 and FY2016 appropriations acts.

The SOPOEA for each Senator is calculated based on three variables—the administrative and clerical assistance allowance, the legislative assistance allowance, and the official office expense allowance. The formula results in a single, consolidated allowance for each Senator that can be used to pay for any type of approved official expense, subject to any regulations or limitations established by statute, Senate rules, the Senate Committee on Rules and Administration, and the Senate Ethics Committee.

A preliminary list of SOPOEA levels shows a range in FY2016 of $3,008,288 to $4,760,211, depending on the state. The average allowance is $3,263,940.

Pursuant to 2 U.S.C. §4108, Senate expenses are reported online biennially on a fiscal year basis in the *Report of the Secretary of the Senate*.

This report provides a history of the SOPOEA and overview of recent developments, including funding levels. It also analyzes actual SOPOEA spending patterns in selected years (fiscal years 2007, 2008, 2011, and 2012).

For a similar analysis of Member office budgets in the House of Representatives, see CRS Report R40962, *Members' Representational Allowance: History and Usage*, by Ida A. Brudnick.

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Congressional office spending has been a regular topic of interest to Members of Congress, constituents, academics, interest groups, and media organizations. Members must choose how to allocate official funds and organize their offices and staff in a way to best represent their constituents. Media reports and interest groups have addressed Member activities and congressional spending on internal operations. A few scholars have also examined how Members typically spend their office allowances, analyzing spending within broader theories of representation.[1] Individual office spending and actions, however, may be as varied as the states Senators represent.

Senators operate their offices with funding from the Senators' Official Personnel and Office Expense Account (SOPOEA).[2] The account may support, for example, salaries for staff in both Washington, DC, and home state offices; official mail; travel between a Senator's home state and Washington, DC; equipment; and other goods and services. The allowance is provided on a fiscal year basis (October 1-September 30).

Senators have a high degree of flexibility to operate their offices in a way that supports their congressional duties and responsibilities, although they must operate within a number of restrictions and regulations. The SOPOEA may only be used for official expenses and may not be used to defray any personal, political, or campaign-related expenses. Additional guidelines and regulations may be provided by Senate rules,[3] the Senate Committee on Rules and Administration,[4] the Senate Ethics Committee,[5] and statute.[6]

Senate expenses, including those supported by the SOPOEA, are reported biennially in the *Report of the Secretary of the Senate* and available online.[7]

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[1] For a study of spending by Senators, see David C.W. Parker and Craig Goodman, "Our State's Never Had Better Friends: Resource Allocation, Home Styles, and Dual Representation in the Senate," *Political Research Quarterly*, vol. 66, no. 2 (June 2013), pp. 370-384. For a study of House Member spending, see David C.W. Parker and Craig Goodman, "Making a Good Impression: Resource Allocation, Home Styles, and Washington Work," *Legislative Studies Quarterly*, vol. 34, no. 4 (November 2009), pp. 493-524.

[2] P.L. 100-137, Oct. 21, 1987, 101 Stat. 814, 2 U.S.C. §6313.

[3] Available at http://www.rules.senate.gov/public/index.cfm?p=RulesOfSenateHome. In particular, Rule XXXVIII (Prohibition on Unofficial Office Accounts); Rule XLII (Employment Practices); and Rule XLIII (Representation by Members).

[4] Guidelines from the Senate Committee on Rules and Administration may be found in the *Senate Handbook*, "Amendments to Regulations Adopted by the Committee on Rules and Administration," and other committee communications. For example, see Senator Schumer, "Amendments to Regulations Adopted by the Committee on Rules and Administration," *Congressional Record*, daily edition, June 12, 2012, p. S3970, which contains information on Senate Office Building regulations, including the smoking policy, building hours, and building admission.

[5] Guidelines from the Senate Ethics Committee may be found in the *Senate Ethics Manual*, "Dear Colleague" letters, and other committee communications.

[6] For example, the period of availability of funds is addressed in statute and discussed in GAO's *Principles of Federal Appropriations Law*, which states, "Pursuant to law, late-arriving bills may be paid for up to two years following the end of the fiscal year" (Chapter 5, Availability of Appropriations: Time, Page 5-76: http://www.gao.gov/special.pubs/3rdEditionVol1.pdf). See also 2 U.S.C. §4575, which addresses the "Gross rate of compensation of employees paid by Secretary of Senate," and 2 U.S.C. §4571, which addresses "Senate pay adjustments; action by President pro tempore of Senate." The latter authorizes the Order of the President pro Tempore, which establishes maximum and minimum rates of pay for employees within various categories of Senate offices.

[7] 2 U.S.C. §4108. P.L. 103-283, the FY1995 Legislative Branch Appropriations Act, amended this section to require summaries of each office's account, stating the total amount of appropriations made available or allocated to the office; any supplemental appropriation, transfer of funds, or rescission; total expenses incurred for salary and office expenses; and the unexpended balance. During consideration of the FY2010 legislative branch appropriations bill (H.R. 2918), the Senate agreed to an amendment, S.Amdt. 1369, offered by Senator Coburn, adding a provision to this section requiring the online publication of the reports in a "searchable, itemized format." The provision was subsequently (continued...)

This report provides a history of the SOPOEA and overview of recent developments, including recent funding. It also analyzes actual SOPOEA spending patterns in selected years (fiscal years 2007, 2008, 2011, and 2012) for all Senators who served for a defined period.[8] Spending and practices across offices and across time may vary, and an examination of additional Congresses would be required for a more complete picture of congressional office spending patterns.

In addition to resources provided through the SOPOEA, various Senate support offices, including the Secretary of the Senate and Sergeant at Arms, also provide services and resources to support Senators but are not considered in this report.[9] For additional information, see CRS Report R43532, *Offices and Officials in the Senate: Roles and Duties*, by Ida A. Brudnick.

For a similar analysis of Member budgets in the House of Representatives, see CRS Report R40962, *Members' Representational Allowance: History and Usage*, by Ida A. Brudnick.

Background, Establishment, and Calculation

Senators have long been provided with resources to support their official duties. For example, Senators have been reimbursed for trips to their states,[10] as well as funds for staffing assistance[11] and maintaining home state offices.[12]

The level and means of providing this assistance has changed over time. For many years, funding for different types of expenses was provided in separate appropriations accounts. The current consolidated SOPOEA system was established in 1987 and effective January 1, 1988.[13] It followed efforts during the previous decade to move to a system of increased flexibility for Senators in directing their individual office operations.[14] The report from the Senate Committee

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included in the law enacted on October 1, 2009 (P.L. 111-68). Reports since the period covering April 1, 2011-September 30, 2011, are available at http://www.senate.gov/legislative/common/generic/report_secsen.htm.

[8] Data for Senators who resigned or died during the fiscal year or left the Senate at the end of a Congress (odd-numbered fiscal years), as well as data for Senators who were appointed or elected by special election during the fiscal year or entered the Senate at the start of a new Congress (odd-numbered fiscal years), were excluded.

[9] These include funds operated by the Sergeant at Arms, including the Economic Allocation Fund (for information technology and other equipment), the Numeric Allocation Program (for telecom equipment) and the Constituent Service System Fund (hardware and software to support approved systems). For information on authorization for procurement and payment of certain services, including home state office space and furniture, see 2 U.S.C. §6313 *et seq*.

[10] For example, "An Act for allowing full mileage to the members of the Senate and House of Representatives of the United States" was enacted on July 6, 1797 (1 Stat. 533, ch. 13).

[11] Senators who were not chairmen of committees were first provided clerical assistance, at a rate of $6 a day when the Senate was in session, in 1884 (23 Stat. 249). Committees had previously been provided staffing assistance (an "act making appropriations for the legislative, executive, and judicial expenses of government for the year ending June 30, 1857" provided funding for "clerks to committees" and the Senate Finance Committee in particular (11 Stat. 103)).

[12] June 14, 1948, ch. 467, 62 Stat. 425. See also former 2 U.S.C. §52 (repealed) for a list of additional laws.

[13] P.L. 100-137, October 21, 1987, 101 Stat. 814, 2 U.S.C. §6313.

[14] Prior to the 1987 legislation, funding for these items was contained within separate line-items for "administrative, clerical and legislative assistance to Senators" and "agency contributions," (both within the heading "salaries, officers and employees") and "official office expense allowances" (in the Senate appropriation account "Miscellaneous Items," under the heading "Contingent Expenses of the Senate"). The "administrative, clerical and legislative assistance to Senators" line-item was itself a consolidation, effective October 1, 1977, of two previously separate allowances, the Administrative and Clerical Assistance Allowance and the Legislative Assistance Allowance. See U.S. Congress, Senate, Committee on Appropriations, *Legislative Branch Appropriations, 1978*, report to accompany H.R. 7932. S.Rept. 95-338, 95th Cong., 1st Sess. (Washington, GPO: 1977); and P.L. 95-94, 91 Stat. 662-663, August 5, 1977. The (continued...)

on Rules and Administration accompanying the bill establishing the SOPOEA (S. 1574) stated that the move "would allow Members to set their own priorities and react accordingly."[15]

Periodically, legislation has been introduced to amend the SOPOEA. The legislation has sought to regulate, prohibit, authorize, reduce, or encourage the use of funds for a particular purpose or to alter the SOPOEA in response to other action; increase transparency; or govern the use of unexpended balances. With few exceptions, however, no further action has been taken on these bills, and revisions to the SOPOEA generally have been made through the appropriations acts or internal procedures.[16]

The annual reports issued by the Senate Appropriations Committee accompanying the legislative branch appropriations bill generally provide preliminary SOPOEA allocation information for the upcoming fiscal year in a table arranged by state.[17] The reports also generally indicate the total amount of agency contributions[18] anticipated by the request; any amounts provided to cover "additional expenses that may be incurred in the event of the death or resignation of a Senator"; and the number of individuals employed by this account.[19] The legislative branch appropriations acts have also periodically adjusted limits on "the aggregate of gross compensation paid employees in the office of a Senator," which is based on population of the state.[20]

The SOPOEA allocation for each Senator is calculated based on three components:

- *administrative and clerical assistance allowance*. This allowance has been based on state population since 1940,[21] with the current system dating to 1967.[22] Today,

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Senate, in the early 1980s, also provided for limited transfer authority between the accounts (see former section 2 U.S.C. §58b).

15 U.S. Congress, Senate Committee on Rules and Administration, Combining the Senators' Clerk Hire Allowance and the Senators' Official Office Expense Account into a Combined Single Account to be Known as the 'Senators' Official Personnel and Office Expense Account,' report to accompany S. 1574, 100th Cong., 1st sess., July 30, 1987, S.Rept. 100-134 (Washington: GPO, 1987).

16 For legislation introduced in the Senate mentioning the SOPOEA, see, for example: in the 112th Congress, S. 81; in the 111th Congress, S. 1808 and S. 3335 (S.Rept. 111-365); in the 110th Congress, S. 1 (which became P.L. 110-81); in the 108th Congress, S. 3741; and in the 103rd Congress, S. 1287. Other bills have been introduced in the House that would affect both House and Senate allowances, for example: in the 114th Congress, H.R. 1873; and in the 113th Congress, H.R. 4872 and H.Con.Res. 113.

17 The committee reports generally state: "It should also be noted that the figures in the following table are preliminary, and that official notification of member budgets is issued by the Financial Clerk of the Senate after enactment of this bill." For example, see U.S. Congress, Senate Committee on Appropriations, Subcommittee on Legislative Branch, *Legislative Branch, 2016*, report to accompany H.R. 2250, 114th Cong., 1st sess., June 11, 2015, S.Rept. 114-64 (Washington: GPO, 2015), p. 21.

18 Agency contributions include including any government contributions as an employer toward health and life insurance, retirement, and FICA.

19 For example, see U.S. Congress, Senate Committee on Appropriations, Subcommittee on Legislative Branch, *Legislative Branch, 2016*, report to accompany H.R. 2250, 114th Cong., 1st sess., June 11, 2015, S.Rept. 114-64 (Washington: GPO, 2015), p. 21.

20 For example, see the FY2010 Legislative Branch Appropriations Act (P.L. 111-68, Oct. 1, 2009, 123 Stat. 2026) and the FY2009 Omnibus Appropriations Act (P.L. 111-8, March 11, 2009, 123 Stat. 814). Additional adjustments authorized in the Order of the President pro Tempore. For additional adjustment information, including a history of adjustments in the appropriations acts and in the Orders, see notes accompanying 2 U.S.C. §4575.

21 P.L. 76-641, June 18, 1940, 54 Stat. 464.

22 P.L. 90-57, July 28, 1967, 81 Stat. 141–144; 2 U.S.C. §4575. The Senate Appropriations Committee report from that year discusses the changes and contains a table for the allowances for the various population categories as well as has an "anticipated ... saving of approximately 3 percent, based upon a historic nonuse of all basic allowances by all

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25 population categories exist, ranging from populations below 5 million to over 28 million.[23] The preliminary figures in the FY2016 Senate report (S.Rept. 114-64) show this allowance varies from $2,409,294 for a Senator representing a state with a population under 5 million to $3,829,063 for a Senator representing a state with a population of 28 million or more.[24]

- *legislative assistance allowance*. This allowance was first authorized in 1975 and revised in 1977.[25] It was designed to provide Senators with support for their committee assignments, and it was established after lengthy hearings and debates regarding the level and division of Senate staffing resources devoted to committee work.[26] The allowance is calculated based on salaries for three employees at a set rate, and it is the same for all Senators.[27] According to the FY2016 Senate report (S.Rept. 114-64), the legislative assistance component of the SOPOEA is $477,874.[28]
- *official office expense allowance*, which varies by state depending on the distance between Washington, DC, and the home state, the population of the state, and the official (franked) mail allocation. According to S.Rept. 114-64, the FY2016 office expense allowance component ranges from $121,120 to $453,274.

The three components result in a single SOPOEA authorization for each Senator that can be used to pay for any type of official expense. Each Senator can choose how much to allocate to various types of expenses (e.g., travel or personnel or supplies), although additional limits pertain to spending on franked mail.[29] Each Senator may also determine the number, job title, location, and duties of staff within his or her office.

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Senators." (U.S. Congress, Senate Appropriations Committee, *Legislative Branch Appropriations, 1968*, report to accompany H.R. 10368, 90th Cong., 1st sess., June 29, 1967, S.Rept. 90-393 (Washington: GPO, 1967), pp. 5-8).

[23] 2 U.S.C. §4575.

[24] Ibid., p. 21.

[25] S.Res. 60 (94th Cong); P.L. 94-59 (July 25, 1975, 89 Stat. 274-5, 276-8); P.L. 95-26 (May 4, 1977, 91 Stat. 83); and P.L. 95-94, Aug. 5, 1977, 91 Stat. 662.

[26] The debates on the establishment of the legislative assistance allowance provide a lengthy discussion of the appropriate means of providing Senators with support for their committee responsibilities as well as challenges. U.S. Congress, Senate Committee on Rules and Administration, *Hearings on S.Res. 60 and S.Res. 110*, Authorizing Each Member of the Senate to Employ Additional Assistants to Work on Matters Pertaining to Committees on Which Senators Serve, 94th Cong., 1st sess., April 30, 1975 and May 20, 1975 (Washington: GPO, 1975); U.S. Congress, Senate Committee on Rules and Administration, *Additional Senate Committee Employees*, report to accompany S.Res. 60, 94th Cong., 1st sess., June 5, 1975, S.Rept. 94-185 (Washington: GPO, 1975); "Additional Senate Committee Employees," Remarks in the Senate, *Congressional Record*, vol. 121, June 11, 1975, pp. p.18299-18408.

[27] Originally proposed to assist Senators without access to significant committee staffing and resources, the legislative assistance allowance was reduced for any chair or ranking member of a full committee or subcommittee with control over funding for staffing in its earliest years. The distinction between committee leaders and other Senators, however, was suspended (S.Res. 85, §23 (99th Cong.) and S.Res. 34 (100th Cong.)) and then repealed with the enactment of the SOPOEA. This allowance is one of the three components of the SOPOEA, although the Senate Appropriations Committee reports accompanying the annual appropriations bills state, "that the amounts provided for the various components of the SOPOEA are interchangeable" (U.S. Congress, Senate Committee on Appropriations, Subcommittee on Legislative Branch, *Legislative Branch, 2016*, report to accompany H.R. 2250, 114th Cong., 1st sess., June 11, 2015, S.Rept. 114-64 (Washington: GPO, 2015), p. 21).

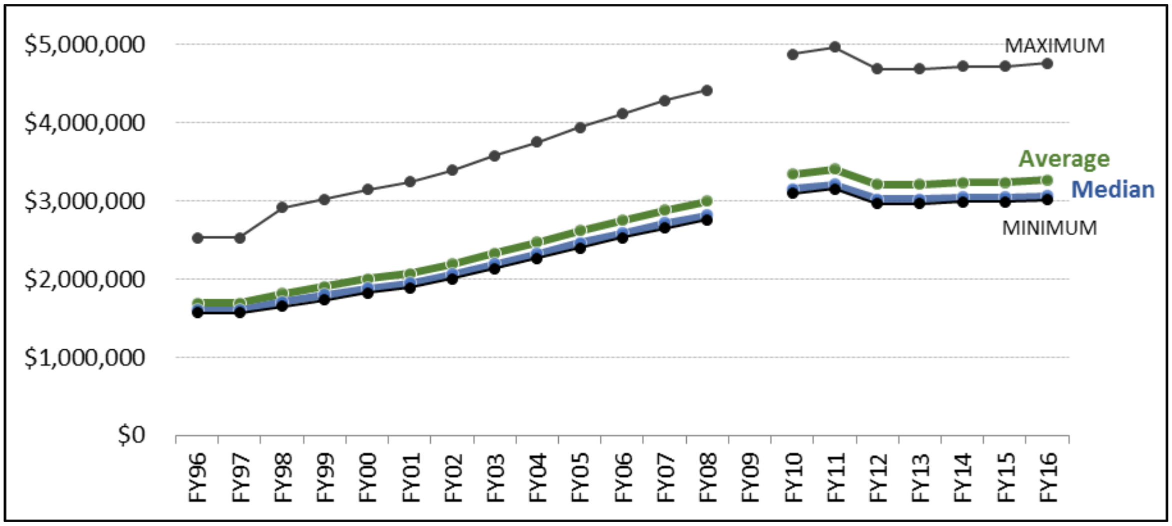
[28] Ibid.

[29] For example, mass mailings may not exceed $50,000 per fiscal year, and additional official mail regulations may be established in statute, regulations and rules of the Senate, the Senate Committee on Rules and Administration, and the Senate Ethics Committee (FY1995 Legislative Branch Appropriations Act, P.L. 103-283, July 22, 1994, 108 Stat. (continued...)

The SOPOEA allocation formula results in varying levels depending on the state from which a Senator is elected. Both Senators from a state receive the same allocation. **Figure 1** demonstrates the variation in authorization levels that has resulted from the SOPOEA allocation formula from FY1996 through FY2016. For FY2016, SOPOEA levels range from $3,008,288 to $4,760,211. The difference between the median level ($3,064,818) and the average ($3,263,940) for FY2016 demonstrates the cluster of similar allocation levels for many states, with a larger differential for some of the larger states. Overall funding for the SOPOEA, described below, has decreased or remained flat in recent years, and the FY2016 maximum, minimum, average, and median allocation levels all remain below the corresponding FY2010 allocation levels.

Figure 1. SOPOEA Allowances: Maximum, Minimum, Average, and Median

FY1996-FY2016, not adjusted for inflation



Source: CRS calculations based on tables included in the Senate Appropriations Committee reports accompanying the annual legislative branch appropriations bill. Since the FY1996 report, these reports have generally provided preliminary information on the SOPOEA allocation for Senators from each state for the upcoming fiscal year. The committee reports note "that official notification of member budgets is issued by the Financial Clerk of the Senate after enactment of" the appropriations act. (For example, U.S. Congress, Senate Committee on Appropriations, Subcommittee on Legislative Branch, Legislative Branch, 2016, report to accompany H.R. 2250, 114th Cong., 1st sess., June 11, 2015, S.Rept. 114-64 [Washington: GPO, 2015], p. 21). The Senate Appropriations Committee did not issue a committee report for FY2009. The FY2011 Senate report preceded the reductions included in P.L. 112-10.

Note: The "median" is the middle value. Since the Senate has an even number of SOPOEA levels (representing the 50 states, with this level provided to each of the Senators from that state), the median is the average of the two middle values (i.e., the states with the 25th and 26th values).

SOPOEA Appropriations: History

The SOPOEA for all Senators is funded in one line-item within the "Contingent Expenses of the Senate" account in the annual legislative branch appropriations bills.

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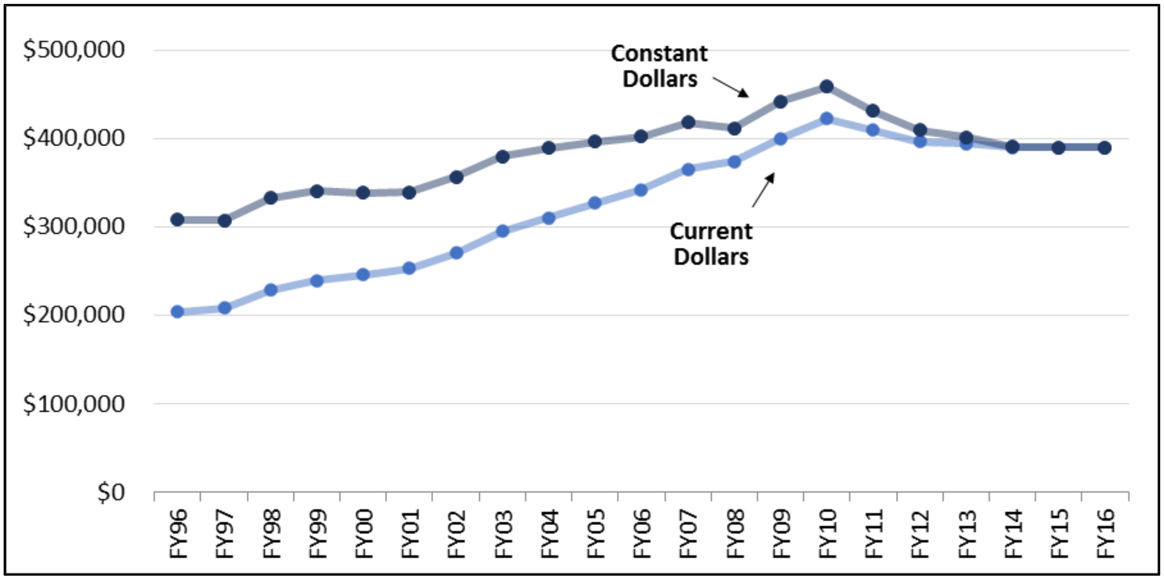
1427, 39 U.S.C. §3210).

As seen in **Figure 2**, this appropriations account has decreased in recent years, from a high of $422.0 million in FY2010 to $390.0 million in FY2014, a decrease of 7.6%, not adjusted for inflation. Appropriations acts for FY2015 (P.L. 113-235) and FY2016 (P.L. 114-113) continued the FY2014 level. This level represents the lowest funding since the $373.5 million provided in FY2008. Adjusted for inflation, the FY2016 level is approximately equivalent to the FY2004 funding level.

Figure 2. Fiscal Year Appropriations for the SOPOEA: Current and Constant Dollars

(FY1996-FY2016, in thousands of dollars)



Source: CRS calculations based upon annual legislative branch appropriations acts, including supplemental appropriations and rescissions. Constant dollars calculated using the Consumer Price Index for All Urban Consumers (CPI-U, Bureau of Labor Statistics, U.S. Department of Labor). Base year = 2015.

The Senate has taken actions to reduce this account both directly—for example, the FY2011 Continuing Appropriations Act stated that "each Senator's official personnel and office expense allowance (including the allowance for administrative and clerical assistance, the salaries allowance for legislative assistance to Senators, as authorized by the Legislative Branch Appropriation Act, 1978 (P.L. 95-94), and the office expense allowance for each Senator's office for each State) in effect immediately before the date of enactment of this section shall be reduced by 5 percent"[30]—and more indirectly through broader appropriations actions that may have influenced the funding level for this account (i.e., continuing resolutions, across-the-board rescissions, and the FY2013 sequestration).

The SOPOEA appropriations account includes agency contributions for benefits provided to employees paid by this account. As stated above, it does not include certain services provided to Senators from other accounts. This may include, for example, services or allowances provided by the Sergeant at Arms and Doorkeeper of the Senate, the Secretary of the Senate, or the Architect of the Capitol. In addition, the SOPOEA does not include salaries for Senators, which are provided separately through a permanent appropriation.[31]

[30] P.L. 112-10, 125 Stat. 170, April 11, 2011.

[31] P.L. 97-51, 95 Stat. 966, September 11, 1981.

Appropriations Acts: Administrative Provisions and Report Language Related to Unexpended Balances

For many years, the Senate Appropriations Committee reports on the annual legislative branch appropriations bill have contained language stating that the prudence of Senators in SOPOEA spending has been factored into the recommended level for this account. For example, the FY2016 report states,[32]

> The amount recommended by the Committee for the SOPOEA is less than would be required to cover all obligations that could be incurred under the authorized allowances for all Senators. The Committee is able to recommend an appropriation of a lesser amount than potentially necessary because Senators typically do not obligate funds up to the absolute ceiling of their respective allowances.

The FY2016 Consolidated Appropriations Act contains a new administrative provision "requiring amounts remaining in Senators' official personnel and office expense account to be used for deficit reduction or to reduce the federal debt."[33] A similar administrative provision was previously included in the Senate Appropriations Committee's reported version of the bill (H.R. 2250).[34]

The SOPOEA in Practice: An Analysis of Spending in Selected Years

Data Collection

The analysis below demonstrates the use of the SOPOEA in four selected years (fiscal years 2007, 2008, 2011, and 2012). The information is derived from the *Report of the Secretary of the Senate.* Since late-arriving bills may be paid for up to two years following the end of the SOPOEA year,[35] information for FY2012, for example, was collected from volumes covering

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[32] U.S. Congress, Senate Committee on Appropriations, Subcommittee on Legislative Branch, *Legislative Branch, 2016*, report to accompany H.R. 2250, 114th Cong., 1st sess., June 11, 2015, S.Rept. 114-64 (Washington: GPO, 2015), p. 21.

[33] P.L. 114-113, December 18, 2016.

[34] Chapter 5, "Availability of Appropriations: Time" of the Government Accountability Office's *Principles Of Federal Appropriations Law* provides some background information on Treasury operations and the treatment of closed appropriations: "We commonly talk about 'returning' appropriation balances to the Treasury. In point of fact, for the most part, they never leave the Treasury to begin with. An appropriation does not represent cash actually set aside in the Treasury. Government obligations are liquidated as needed through revenues and borrowing. Thus, the reversion of funds to the Treasury is not a movement of actual cash, but a bookkeeping adjustment that in the various ways discussed in the text, affects the government's legal authority to incur obligations and make expenditures." United States General Accounting Office, *Principles Of Federal Appropriations Law*, Third Edition, vol. I, January 2004, http://www.gao.gov/special.pubs/3rdEditionVol1.pdf, pp. 5-73. A similar administrative provision related to the Members' Representational Allowance (MRA)—which supports office operations for Members of the House—has been included in the House of Representatives section of the appropriations acts for many years. For additional information, see "Appropriations Acts: Administrative Provisions Related to Unexpended Balances" in CRS Report R40962, *Members' Representational Allowance: History and Usage*, by Ida A. Brudnick.

[35] The two-year period for late receipts for Congress is shorter relative to annual appropriations for much of the rest of the federal government, which is subject to a five-year period (31 U.S.C. §1551 *et al.*). This is discussed in the Government Accountability Office's *Principles Of Federal Appropriations Law.* This publication states: "For (continued...)

FY2012, FY2013, and FY2014. To account for late-arriving bills, fiscal years were only included if data for the subsequent two years are complete. Due to data collection limitations, only selected years were examined, although this precludes an examination of the funding limitations in recent years. The data exclude Senators who were not in Congress for the entirety of the initial fiscal year.[36]

Categories of Spending

SOPOEA spending is recorded in the *Report of the Secretary of the Senate* according to the following categories:

- net payroll expenses
- travel and transportation of persons
- rent, communications, and utilities
- printing and reproduction
- other contractual services
- supplies and materials
- acquisition of assets
- transportation of things

This classification system is similar, but not identical, to that established by the Office of Management and Budget (OMB).[37]

Findings

The tables and figure below examine spending in the aggregate by all Senators and then as a distribution using office-level data. Office-level data were examined since, as stated above, Senators are provided flexibility to operate their offices in the manner that best represents the states from which they are elected and aggregate Senate data may not be typical or representative of any individual Senator's office.

The data show a relative consistency in the overall allocation of SOPOEA resources by category of spending both across Senators and over time.

As seen in **Figure 3**, the largest category of spending in all four years, accounting for 90% of total SOPOEA spending by Senators, is for personnel compensation (i.e., net payroll expense).

Table 1 provides a distributional analysis at the office level. Expenditures for all of the categories utilized by the Senate were collected, although this table only examines the largest ones. As with

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appropriations of the House and Senate, unobligated balances more than two years old cannot be used short of an act of Congress. Instead, obligations chargeable to appropriations that have been expired for more than 2 years 'shall be liquidated from any appropriations for the same general purpose, which, at the time of payment, are available for disbursement.' 2 U.S.C. §102a." United States General Accounting Office, *Principles Of Federal Appropriations Law*, Third Edition, vol. I, January 2004, http://www.gao.gov/special.pubs/3rdEditionVol1.pdf, page 5-76 – 5-77.

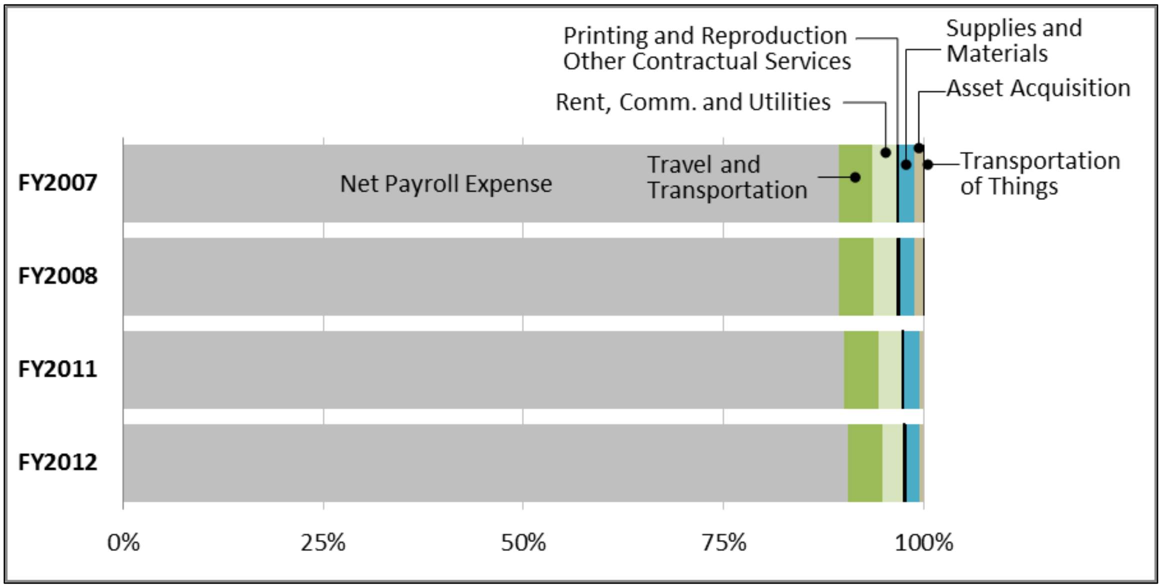
[36] This limitation resulted in data for 87 Senators for FY2007, 99 for FY2008, 82 for FY2011, and 100 for FY2012.

[37] This classification system is similar, but not identical, to that established by the Office of Management and Budget (U.S. Office of Management and Budget, *OMB Circular A-11*, 2015 edition, http://www.whitehouse.gov/omb/Circulars_a11_current_year_a11_toc/).

the Senate-wide data depicted in **Figure 3**, the office-level data indicate that personnel compensation is by far the largest category of expense for Senators' offices. Spending on personnel as a percentage of total office spending varied (from as low as 70% of all expenditures to more than 96%), but personnel costs comprised 90% of the average office's spending each year.

Data on other categories of spending also demonstrate that, while some variation exists across offices and years, similar patterns have developed.

Figure 3. Expenditures by Category



Source: CRS calculations based on the semi-annual *Report of the Secretary of the Senate* covering expenditures for FY2007, FY2008, FY2011, and FY2012. The data exclude Senators who were not in Congress for the entirety of the fiscal year. This limitation resulted in data for 87 Senators for FY2007, 99 for FY2008, 82 for FY2011, and 100 for FY2012.

Table 1. Distribution of Office-Level Spending

(percentage of total expenditure in the individual SOPOEA on select categories of spending)

	Year	Minimum	Average (Mean)	Maximum	Lower Quartile (25th percentile)	Median (50th percentile)	Upper Quartile (75th percentile)
Personnel Compensation	2007	70.2	89.4	95.6	87.4	89.8	92.2
	2008	73.2	89.5	96.3	87.4	90.3	92.2
	2011	79.2	90.1	96.2	87.8	90.4	92.4
	2012	78.7	90.5	96.6	88.8	91.3	92.7
Travel	2007	0.4	4.3	9.0	2.6	4.0	5.8
	2008	0.1	4.4	11.5	2.6	4.2	5.7
	2011	0.9	4.4	10.7	3.2	4.0	5.7
	2012	0.8	4.3	11.3	2.8	4.0	5.3
Rent, Communications, and Utilities	2007	1.0	3.0	17.1	2.1	2.5	3.4

	Year	Minimum	Average (Mean)	Maximum	Lower Quartile (25th percentile)	Median (50th percentile)	Upper Quartile (75th percentile)
	2008	1.1	2.9	18.4	1.8	2.3	3.4
	2011	1.1	2.8	14.7	1.9	2.3	3.2
	2012	1.0	2.7	15.5	1.7	2.2	3.1
Printing	2007	0.0	0.0	0.4	0.0	0.0	0.0
	2008	0.0	0.0	0.4	0.0	0.0	0.0
	2011	0.0	0.0	0.4	0.0	0.0	0.0
	2012	0.0	0.0	0.2	0.0	0.0	0.0
Supplies	2007	0.6	1.9	5.7	1.4	1.7	2.2
	2008	0.6	1.8	4.8	1.3	1.7	2.1
	2011	0.5	1.8	4.0	1.4	1.8	2.2
	2012	0.4	1.7	3.5	1.2	1.6	2.0

Source: CRS calculations based on the semi-annual *Report of the Secretary of the Senate* covering expenditures for FY2007, FY2008, FY2011, and FY2012. Spending rates of less than 0.1% are displayed as 0.0%, although some expenditures may have occurred.

Notes: Data exclude Senators who were not in Congress for the entirety of the fiscal year. This limitation resulted in data for 87 Senators for FY2007, 99 for FY2008, 82 for FY2011, and 100 for FY2012. The mean represents the average, while the median represents the middle value (i.e., 50th percentile).

Table 2 shows spending as a proportion of the total individual authorization. For example, approximately 10% of Senators spent between 80% and 85% of their allowance in FY2011. As discussed above, the data collection methodology precludes an examination of the most recent fiscal years, when the appropriations account has been flat or decreased.

Table 2. Distribution of SOPOEA Spending by Senators as a Percentage of Authorization

	<70% of Allowance	70-75% of Allowance	75-80% of Allowance	80-85% of Allowance	85-90% of Allowance	90-95% of Allowance	>95% of Allowance
FY2007	1.1%	1.1%	1.1%	3.4%	11.5%	23.0%	58.6%
FY2008	2.0%	2.0%	1.0%	8.1%	18.2%	28.3%	40.4%
FY2011	2.4%	0.0%	1.2%	9.8%	15.9%	28.0%	42.7%
FY2012	1.0%	2.0%	5.0%	8.0%	21.0%	29.0%	34.0%

Source: CRS calculations based on the semi-annual *Report of the Secretary of the Senate* covering expenditures for FY2007, FY2008, FY2011, and FY2012.

Notes: Percentages may not equal 100% due to rounding. Data exclude Senators who were not in Congress for the entirety of the fiscal year. This limitation resulted in data for 87 Senators for FY2007, 99 for FY2008, 82 for FY2011, and 100 for FY2012.

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Acknowledgments

Sarah J. Eckman and Lara E. Chausow assisted in data collection and the preparation of this report. Amber Wilhelm assisted in the preparation of the figures.