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

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SUMMARY

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

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.

Over the past decade, this appropriations account decreased for a number of years before remaining level for four years and then increasing again. More specifically, the SOPOEA decreased from $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, FY2016, and FY2017 appropriations acts. The enacted level was $424.0 million in FY2018 (+8.7%), $429.0 million in FY2019 (+1.2%), and $449.0 million in FY2020 (+4.7%).

In recent years, the total has included an allowance for interns ($5.0 million in FY2019; and $6.0 million in FY2020).

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 FY2020 of $3,436,535 to $5,421,200, depending on the state. The average allowance is $3,738,775.

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 recent years.

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 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] Senate office spending patterns, which are the subject of this report, 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 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

This report provides a history of the SOPOEA and overview of recent developments, including recent funding. It also analyzes actual SOPOEA spending patterns in recent years for all Senators who served for a defined period.[8] Spending and practices across offices and across time may vary.

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] and provided 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 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]

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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 exclude Senators who were not in office for the entirety of the fiscal year.

[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). Rental charges for home state offices are paid for by the Senate Sergeant at Arms. 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 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

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 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, 25 population categories exist, ranging from populations below 5 million to over 28 million.[23] The preliminary figures in the FY2020 Senate report (S.Rept. 116-

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, the following: in the 115th Congress, S. 2917, S. 2236, and S. 2872; in the 114th Congress, S. 3327; 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 116th Congress, H.R. 577 and H.R. 1626; in the 115th Congress, H.R. 839, H.R. 2951, and H.R. 6640; in the 114th Congress, H.R. 1873 and H.R. 5741; and in the 113th Congress, H.R. 4872 and H.Con.Res. 113. For additional information on recent provisions in appropriations acts, see "Appropriations Acts: Administrative Provisions and Report Language Related to Unexpended Balances."

[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, *Legislative Branch Appropriations, 2020*, report to accompany S. 2581, S.Rept. 116-124, 116th Cong., 1st sess., (Washington: GPO, 2019), p. 24.

[18] Agency contributions include any government contributions as an employer toward health and life insurance, retirement, and FICA. These contributions are funded in the SOPOEA account but separate from each Senator's individual authorization.

[19] For example, see U.S. Congress, Senate Committee on Appropriations, *Legislative Branch Appropriations, 2020*, report to accompany S. 2581, S.Rept. 116-124, 116th Cong., 1st sess., (Washington: GPO, 2019), p. 24.

[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. See also a general provision in P.L. 116-94 adjusting the maximum rates of compensation for certain congressional staff.

[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 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.

124) showed this allowance varies from $2,798,783 for a Senator representing a state with a population under 5 million to $4,448,075 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 FY2020 Senate report (S.Rept. 116-124), the legislative assistance component of the SOPOEA was $508,377.[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. 116-124, the FY2020 office expense allowance component ranged from $129,375 to $464,748.

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, 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.

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.

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[24] Ibid., pp. 24-25. The Senate Appropriations Committee has not issued a FY2021 legislative branch appropriations report, and the legislative branch is operating on a continuing appropriations resolution through December 11, 2020 (P.L. 116-159).

[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.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, *Legislative Branch Appropriations, 2020*, report to accompany S. 2581, S.Rept. 116-124, 116th Cong., 1st sess., (Washington: GPO, 2019), pp. 24-25).

[28] Ibid.

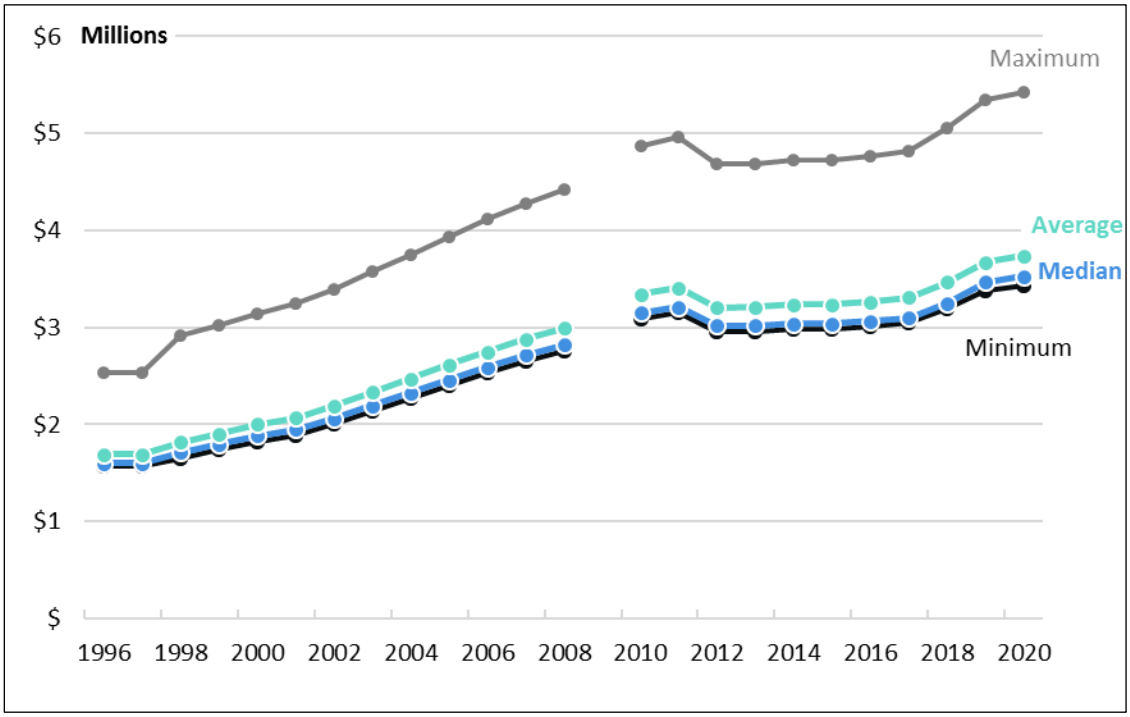
[29] For example, mass mailings may not exceed $50,000 per fiscal year, and additional official mail regulations may be established in statute, regulations and rules of the Senate, the Senate Committee on Rules and Administration, and the Senate Ethics Committee (FY1995 Legislative Branch Appropriations Act, P.L. 103-283, July 22, 1994, 108 Stat. 1427, 39 U.S.C. §3210).

Figure 1 demonstrates the variation in authorization levels that has resulted from the SOPOEA allocation formula from FY1996 through FY2020.

For FY2020, SOPOEA levels ranged from $3,436,535 to $5,421,200. The difference between the median level ($3,529,330) and the average ($3,738,775) for FY2020 demonstrates the cluster of similar allocation levels for many states, with a larger differential for some of the larger states.

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

FY1996-FY2020, 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, *Legislative Branch Appropriations, 2020*, report to accompany S. 2581, S.Rept. 116-124, 116th Cong., 1st sess., (Washington: GPO, 2019), pp. 24-25.) 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. The Senate Appropriations Committee has not issued a FY2021 legislative branch appropriations report, and the legislative branch is operating on a continuing appropriations resolution through December 11, 2020 (P.L. 116-159).

Note: The "median" is the middle value. Because 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.

As seen in **Figure 2**, this appropriations account decreased for a number of years, from $422.0 million in FY2010 to $390.0 million in FY2014, a decrease of 7.6%.

The FY2014 level was continued in FY2015, FY2016 and FY2017.

Subsequently:

- the FY2018 enacted level of $424.0 million represented an increase of 8.7% (and $2.0 million above the FY2010 enacted level);
- the FY2019 enacted level of $429.0 million represented an increase of 1.2%; and
- the FY2020 enacted level of $449.0 million represented an increase of 4.7%.

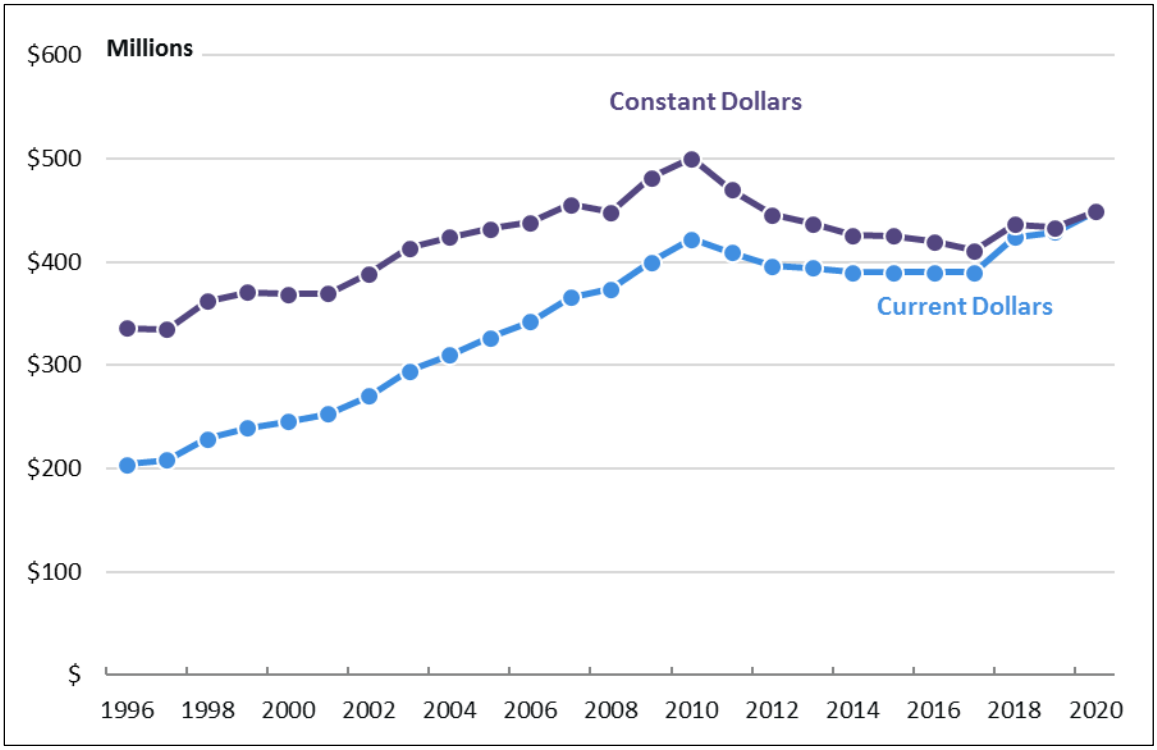
Pursuant to P.L. 116-159, the legislative branch has been operating on a continuing appropriations resolution through December 11, 2020.

Since FY2019, the SOPOEA total has included an allowance for interns ($5.0 million in FY2019; and $6.0 million in FY2020).

Adjusted for inflation, the FY2020 level is approximately equivalent to the FY2008 level.

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

(FY1996-FY2020)



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 = 2020.

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.[30]

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 FY2020 report states,[31]

> 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 contained 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."[32] This provision was included in subsequent legislative branch appropriations acts.

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

[31] U.S. Congress, Senate Committee on Appropriations, *Legislative Branch Appropriations, 2020*, report to accompany S. 2581, S.Rept. 116-124, 116th Cong., 1st sess., (Washington: GPO, 2019), pp. 24-25.

[32] P.L. 114-113, December 18, 2016. A similar administrative provision was previously included in the Senate Appropriations Committee's reported version of the bill (H.R. 2250). 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.

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

Data

The analysis below demonstrates the use of the SOPOEA from FY2009 to FY2019.[33] Data were collected from the *Report of the Secretary of the Senate.* [34]

Because late-arriving bills may be paid for up to two years following the end of the SOPOEA year, information for most fiscal years was obtained from the report issued two years following that fiscal year. Information for fiscal years 2018 and 2019 is preliminary.

The data exclude Senators who were not in Congress for the entirety of the fiscal year of study (i.e., if the Senator died, resigned, retired, was appointed, or left or entered Congress following an election, that Senator's expenditures for that fiscal year were excluded).

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, and
- transportation of things.

This classification system is similar, but not identical, to that established by the Office of Management and Budget (OMB).[35]

Findings

The tables and figure below examine spending in the aggregate by all Senators and then as a distribution using office-level data in personal offices. Senators have broad flexibility to operate

[33] P.L. 111-68, 2 U.S.C. §4108. Reports since the period covering April 1, 2011-September 30, 2011, are available at http://www.senate.gov/legislative/common/generic/report_secsen.htm. Each report contains information on the prior two fiscal years, so the initial report allows for the capturing of FY2009 and FY2010 data.

[34] 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 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, pp. 5-76-5-77.

[35] See U.S. Office of Management and Budget, *OMB Circular A-11*, 2020 edition, https://www.whitehouse.gov/omb/information-for-agencies/circulars/.

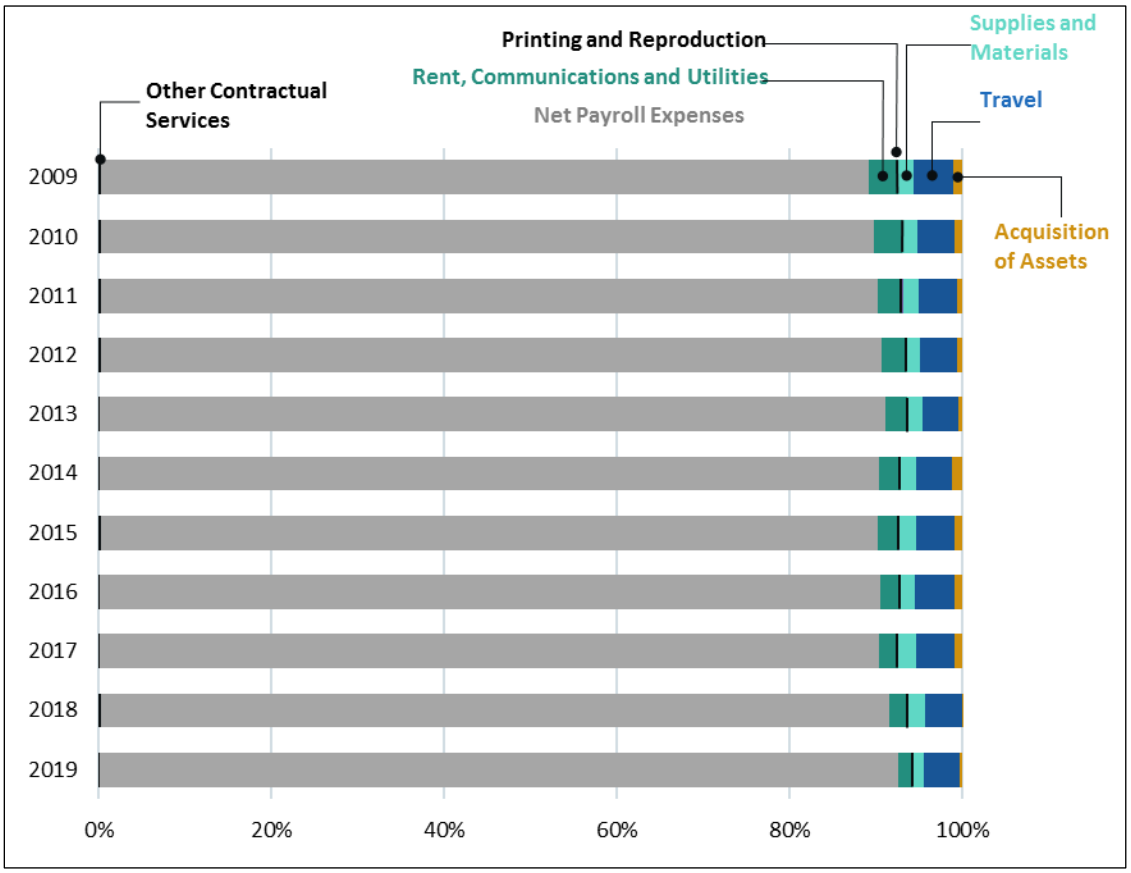
their offices in the manner that best represents the states from which they are elected, and aggregate Senate data may not be typical or representative of any individual Senator's office.

Despite these flexibilities, 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 years examined, accounting for 90% of total SOPOEA spending by all Senators, is for personnel compensation (i.e., net payroll expenses).

Table 1 provides a distributional analysis at the individual office level by spending category. As with 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 (for FY2009-FY2019, both the average and the median of payroll expenses, as a percentage of the individual authorization rather than all expenditures, is approximately 82%).

Figure 3. Aggregate Expenditures by Category, FY2009-FY2019



Source: CRS calculations based on the semiannual *Report of the Secretary of the Senate.*

Notes: Data exclude Senators who were not in Congress for the entirety of a given fiscal year. Information for fiscal years 2018 and 2019 is preliminary. A much smaller category, "transportation of things," is not included in this figure.

Table 1. Distribution of Individual Office-Level Spending by Category

expenditure on select categories of spending, as a percentage of total authorization

	Year	Minimum	Average (mean)	Maximum	Lower Quartile (25th%)	Median (50th%)	Upper Quartile (75th%)
Net Payroll Expenses	2009	54.2%	81.5%	93.7%	78.3%	81.9%	86.7%
	2010	51.4%	80.9%	93.5%	77.0%	81.8%	86.8%
	2011	53.0%	83.1%	93.5%	79.7%	84.0%	87.9%
	2012	56.0%	82.5%	94.1%	78.8%	82.9%	87.3%
	2013	57.3%	80.8%	91.6%	77.5%	81.8%	84.9%
	2014	52.7%	79.7%	95.1%	76.1%	79.8%	83.3%
	2015	53.8%	82.1%	94.1%	78.4%	84.0%	86.9%
	2016	57.8%	82.0%	94.8%	77.1%	83.8%	87.5%
	2017	62.7%	83.1%	94.9%	78.6%	83.9%	88.6%
	2018	64.6%	79.6%	92.5%	74.4%	80.0%	85.3%
	2019	52.2%	80.7%	92.0%	75.0%	81.7%	87.0%
Travel	2009	0.9%	4.2%	9.1%	2.5%	4.0%	5.3%
	2010	0.9%	3.9%	9.4%	2.4%	3.5%	5.1%
	2011	0.8%	4.1%	10.5%	2.8%	3.6%	5.4%
	2012	0.7%	3.9%	10.8%	2.5%	3.5%	4.8%
	2013	0.5%	3.7%	10.5%	2.4%	3.4%	4.5%
	2014	0.5%	3.7%	9.9%	2.5%	3.5%	4.6%
	2015	0.6%	4.0%	11.7%	2.6%	3.7%	5.1%
	2016	0.4%	4.1%	13.3%	2.7%	3.9%	4.7%
	2017	0.8%	4.1%	10.8%	2.7%	4.0%	5.2%
	2018	0.9%	3.7%	13.0%	2.3%	3.5%	4.7%
	2019	0.4%	3.6%	11.6%	2.0%	3.5%	4.7%
Rent, Communications, and Utilities	2009	1.0%	3.0%	19.7%	1.8%	2.3%	3.6%
	2010	0.0%	2.9%	20.2%	1.8%	2.3%	3.4%
	2011	0.9%	2.6%	14.7%	1.7%	2.2%	3.0%
	2012	0.8%	2.5%	15.1%	1.5%	2.0%	2.9%
	2013	0.8%	2.2%	16.1%	1.4%	1.9%	2.4%
	2014	0.8%	2.2%	20.6%	1.3%	1.6%	2.2%
	2015	0.8%	2.3%	24.6%	1.3%	1.6%	2.2%
	2016	0.7%	2.2%	8.1%	1.3%	1.7%	2.5%
	2017	0.7%	2.1%	8.1%	1.4%	1.6%	2.3%
	2018	0.6%	1.9%	7.1%	1.2%	1.5%	2.3%
	2019	0.6%	1.4%	5.1%	1.0%	1.2%	1.6%

	Year	Minimum	Average (mean)	Maximum	Lower Quartile (25th%)	Median (50th%)	Upper Quartile (75th%)
Supplies and Materials	2009	0.6%	1.7%	4.1%	1.2%	1.6%	2.0%
	2010	0.0%	1.5%	3.7%	1.0%	1.5%	2.0%
	2011	0.5%	1.7%	3.9%	1.2%	1.7%	2.0%
	2012	0.4%	1.5%	3.4%	1.1%	1.4%	1.8%
	2013	0.4%	1.6%	4.0%	1.1%	1.4%	1.9%
	2014	0.5%	1.5%	6.6%	1.0%	1.4%	1.8%
	2015	0.5%	1.8%	5.7%	1.2%	1.6%	2.2%
	2016	0.3%	1.6%	6.4%	1.0%	1.4%	1.8%
	2017	0.0%	1.9%	6.0%	1.1%	1.5%	2.2%
	2018	0.5%	1.7%	7.5%	1.0%	1.4%	2.0%
	2019	0.1%	1.1%	3.2%	0.7%	1.1%	1.4%
Printing and Reproduction	2009	0.0%	0.0%	0.3%	0.0%	0.0%	0.0%
	2010	0.0%	0.0%	0.4%	0.0%	0.0%	0.0%
	2011	0.0%	0.0%	0.3%	0.0%	0.0%	0.0%
	2012	0.0%	0.0%	0.2%	0.0%	0.0%	0.0%
	2013	0.0%	0.0%	0.2%	0.0%	0.0%	0.0%
	2014	0.0%	0.0%	0.2%	0.0%	0.0%	0.0%
	2015	0.0%	0.0%	0.3%	0.0%	0.0%	0.0%
	2016	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%
	2017	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%
	2018	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%
	2019	0.0%	0.0%	0.2%	0.0%	0.0%	0.0%

Source: CRS calculations based on the semiannual *Report of the Secretary of the Senate*. Calculation is based on the total individual authorization.

Notes: Data exclude Senators who were not in Congress for the entirety of the fiscal year. The mean represents the average, while the median represents the middle value (i.e., 50th percentile). Spending rates of less than 0.1% are displayed as 0.0%, although some expenditures may have occurred. Information for fiscal years 2018 and 2019 is preliminary. The table does not include even smaller categories, including "Other Contractual Services" and "Transportation of Things."

Table 2 shows spending as a proportion of the total individual authorization from 2009 to 2019.

Table 2. Distribution of Office-Level Spending as a Percentage of Individual SOPOEA Authorizations

Year	Lower Quartile (25th percentile)	Median (50th percentile)	Average (mean)	Upper Quartile (75th percentile)
2009	88.7%	92.9%	91.6%	97.3%
2010	87.2%	91.3%	90.5%	95.9%
2011	88.3%	93.9%	92.3%	97.6%
2012	87.8%	92.0%	91.1%	96.2%
2013	85.6%	91.0%	88.8%	92.8%
2014	84.1%	89.3%	88.3%	92.6%
2015	87.4%	93.4%	91.3%	96.4%
2016	88.1%	92.0%	90.8%	95.9%
2017	88.5%	93.4%	92.2%	97.3%
2018	82.8%	89.0%	88.1%	93.8%
2019	82.0%	89.0%	87.3%	92.7%

Source: CRS calculations based on the semiannual *Report of the Secretary of the Senate.*

Notes: Data exclude Senators who were not in Congress for the entirety of the fiscal year. Information for fiscal years 2018 and 2019 is preliminary.

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