

# CRS Report for Congress

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## Selected Privileges and Courtesies Extended to Former Senators

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### Summary

Over the years, a number of privileges and courtesies have been made available to former Members of the U.S. Senate. Although some are derived from law and Senate rules, most are courtesies which have been extended as a matter of custom. Information on some of the most important privileges and courtesies are presented in this report. Benefits such as federal health insurance, life insurance, and retirement, however, are not discussed. For additional information, please refer to CRS Report RL30361, *Retirement Benefits of Members of Congress*, and CRS Report 96-585, *Health Benefits for Members of Congress*. This report will be updated periodically as appropriate.

### Privileges and Courtesies

Information on the privileges and courtesies accorded former Senators has been compiled in consultation with the staff of the Senate Library. Other sources included the offices of the Senate sergeant at arms, parliamentarian, postmaster, historian, stationery store, and disbursing office; the Joint Committee on Printing; and the Washington National Records Center of the National Archives Administration.<sup>1</sup>

**(1) Floor Privileges.** Former Senators are entitled to admission to the floor of the Senate while it is in session (Senate Rule XXIII). However, any Senator, upon leaving office, who becomes a registered lobbyist under the Federal Regulation of Lobbying Act of 1946 or any successor statute, or is employed or retained for the purpose of influencing

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<sup>1</sup> See also U.S. Congress, Senate Committee on Rules and Administration, *U.S. Senate Edition Congressional Handbook*, 104<sup>th</sup> Cong., 1<sup>st</sup> sess., S.Prt. 104-64 (Washington: GPO, 1996), pp. I-89 through I-101.

legislation, may not lobby Members, officers, or employees of the Senate for one year after leaving office<sup>2</sup> (Senate Rule XXXVII, clause 8).

By tradition, former Senators are also accorded floor privileges in the House of Representatives, including joint meetings and sessions of Congress.

**(2) Purchase of Office Equipment.** The sergeant at arms may sell to Senators leaving office any item of office equipment located in their Washington or state offices, subject to certain restrictions. The equipment must have reached its expected useful life and been declared surplus to the needs of the Senate. Sales may be made only when a Senator submits a written request to the sergeant at arms at least 30 days prior to leaving office. Questions regarding the purchase of Senate office equipment should be directed to 202-224-6751.

**(3) Purchase of Senate Chamber Chair.** Departing Senators may purchase their Senate chamber chair upon written request to the Senate sergeant at arms. Staff may purchase the chair as a gift to a Senator, but they must make a written request to the sergeant at arms. The name plate on each Senator's desk in the Senate chamber is either automatically mailed to the Senator by the sergeant at arms when he or she leaves office, or, upon request, mounted on the back of the purchased chamber chair. Questions regarding the purchase of a chamber chair should be directed to 202-224-4171.

**(4) Purchase of State Office Furnishings.** Within 30 days prior to leaving office, a departing Senator has the option to purchase through the office of the sergeant at arms any furnishings provided by the General Services Administration (GSA) in one home state office (2 U.S.C. 59(b)). The purchase shall be at depreciated fair market value prices and in accordance with regulations prescribed by GSA. Questions regarding such purchases should be directed to 202-224-5409.

**(5) Storage/Shipment of Inactive Office Files.** While a Senator is in office, the Washington National Records Center in Suitland, Maryland, stores inactive office files under a storage program authorized by the National Archives and Records Administration (NARA).

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<sup>2</sup> Under the Ethics Reform Act of 1989 (P.L. 101-194), all Members of Congress are prohibited, for one year after leaving office, from lobbying or making advocacy contacts with any Member, officer, or employee of either House of Congress or any employee of a legislative office (18 U.S.C. 207(e)).

In addition, the Ethics Reform Act of 1989 prohibits Members of Congress, for one year after leaving office, from representing an official foreign entity before the United States, or aiding or advising such entity with the intent to influence any decision of an agency or employee of the United States Government (18 U.S.C. 207(f)). There is a further restriction on Members who had worked personally and substantially on a treaty or trade negotiation and who had access to information which is not subject to disclosure under the Freedom of Information Act. They are prohibited from using such information for one year after leaving office for the purpose of aiding, assisting, advising, or representing anyone other than the United States regarding such trade or treaty negotiation (18 U.S.C. 207(b)(1)).

When Senators leave office, they are obligated to remove their papers from the Center by mid-December. At a Senator's request, the National Archives will return, destroy, or prepare the papers for shipping. Records can be sent to a designated library or educational institution, a state archives or historical society, or private residences. Senators are requested to notify the Records Center about what should be done with the stored records. For additional information, Senators should call the Washington National Records Center at 301-778-1526.

**(6) Archival Disposition of Office Files.** The Senate Historical Office (202-224-6900), upon request, will confer with offices about processing and planning for the disposition of a Senator's papers. The Historical Office has prepared *The Records Management Handbook* (Senate Publication 105-54), which provides advice to current and former Senators about the management of office papers and records.

**(7) Franking Privilege.** Former Senators are authorized to use the frank for a period of 90 days immediately following the dates on which they leave office. Only official matters relating to the closing of their offices are frankable (39 U.S.C. 3210(b)(c)). Anything sent under the frank should be mailed from the former Senator's home state or Washington, D.C.

**(8) Other Mailing Service.** The Senate Post Office will forward mail until January 31 of the year following a Senator's departure. For those who leave before the end of a session, the Post Office will forward mail for up to one year. Any questions regarding mail service for former Senators should be directed to 202-224-5353.

**(9) Use of the Congressional Research Service (CRS).** CRS provides reference and research assistance on a limited basis to former Members of Congress. They may use the La Follette Congressional Reading Room (LM-202 and LM-204), the Product Distribution Center (LM-206), and the CRS Research Center in B07 Russell Senate Office Building. Services available at these locations include reference collections and assistance in the use of Library of Congress materials and resources. Former Members may also receive CRS general distribution products, responses to reference questions, and guidance for undertaking further research and analysis. CRS, however, cannot undertake original research for former Members. Former Members may request CRS assistance in person, by telephone (202-707-5700), by fax (202-707-6745), or by writing to Daniel P. Mulhollan, Director, Congressional Research Service, Washington, D.C. 20540-7000. Former congressional staff may use the Library of Congress public reading rooms, but are not permitted to use the LaFollette Congressional Reading Room or other CRS facilities. For additional information, contact Robert Newlen, head of the CRS Legislative Relations Office, at 202-707-4313.

**(10) Use of the Library of Congress.** Borrowing privileges at the Library of Congress are available to former Senators whose accounts are clear and who are residing in the Washington, D.C., area. The telephone number of the loan division is 202-707-5445. The Library is unable to make deliveries to former Members.

**(11) Priority in Committee Testimony.** When testifying before a congressional committee, a former Senator frequently is permitted to testify immediately after incumbent Members of Congress and before other witnesses.

**(12) Parking at the Capitol Complex.** Upon request, the Senate Parking Office (202-224-8888) will issue a parking permit card to a former Senator. This allows him or her to park in any Senate-controlled outdoor parking area when the card is displayed on a car dashboard. No permit is available for indoor parking, but arrangements can frequently be made on a day-to-day basis by calling the Senate Rules Committee (202-224-6352).

Other traditional benefits and courtesies extended to former Senators include:

- ! Services from the Senate Disbursing Office, including check cashing and the purchase of traveler's checks and assistance with retirement and other benefits;
- ! Use of the Senate Credit Union;
- ! Permanent ID from the Senate sergeant at arms;
- ! Limited use of various Senators' dining facilities;
- ! Use of the Senate Library, including borrowing privileges;
- ! Documents from the Senate document room upon personal request of the former Senator;
- ! Purchasing privileges in the Senate stationery room; and
- ! Membership in the U.S. Association of Former Members of Congress.