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Selected Privileges and Courtesies Extended to Former Members of Congress

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Summary

After Members of the House or Senate leave office, they are afforded certain courtesies and privileges. Some are derived from law and chamber rules, but others are courtesies that have been extended as a matter of custom. Some of these privileges and courtesies include the following:

- access to the floor of the chamber in which a former Member served;
- short-term franking privileges;
- access to parking facilities and athletic or wellness facilities;
- access to House or Senate administrative services and dining facilities; and
- access to materials through the Congressional Research Service (CRS) and the Library of Congress.

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After Members of the House or Senate leave office, they are afforded certain courtesies and privileges.¹ Some are derived from law and chamber rules, but others are courtesies that have been extended as a matter of custom. Some of these privileges and courtesies include the following:

- access to the floor of the chamber in which a former Member served.
- short-term franking privileges. Former Members of Congress are authorized to use the frank for 90 days immediately after they leave office, only for official matters relating to the closing of their offices.²
- access to parking facilities and athletic or wellness facilities, subject to some restrictions.
- access to House or Senate administrative services and dining facilities.
- access to materials through the Congressional Research Service (CRS)³ and the Library of Congress.⁴

House of Representatives

Former Members of the House are entitled to admission to the floor of the House while it is in session.⁵ A former Member of the House is not entitled to the privilege of the House floor if he or she (1) becomes a registered lobbyist or the agent of a foreign principal as defined by the House;⁶ (2) has any direct personal or pecuniary interest in any legislative measure pending before the House or reported by any committee of the House; (3) or is employed for the purpose of influencing, directly or indirectly, the passage, defeat, or amendment of any legislative proposal. The Speaker may promulgate regulations that exempt ceremonial or educational functions from these restrictions.⁷

Former Members of the House may have access, for a fee, to Member exercise facilities, including the Members' wellness facility. Any former Member who is a registered lobbyist or

¹ This section does not consider employment-related benefits such as continued health care, pensions, or annuities, if any, that may be payable to a former Member of Congress. For information on those benefits, see CRS Report R43194, *Health Benefits for Members of Congress and Certain Congressional Staff*, by Annie L. Mach and Ada S. Cornell; and CRS Report RL30631, *Retirement Benefits for Members of Congress*, by Katelin P. Isaacs.

² 39 U.S.C. 3210(b)(3).

³ CRS provides reference and research assistance on a limited basis to former Members of Congress. Services available 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 cannot undertake original research for former Members.

⁴ Borrowing privileges at the Library of Congress are available to former Members whose accounts are clear and who reside in the Washington, DC, area.

⁵ House Rule IV, clause 2. Former Senators who served as Members of the House of Representatives have floor privileges in the House. By tradition, former Senators who did not serve in the House are also granted floor privileges in the House, including joint meetings and sessions of Congress.

⁶ House Rule XXV, clause 5.

⁷ House Rule IV, clause 4.

agent of a foreign principal, or who is employed or retained for the purpose of influencing legislation, is not entitled to this courtesy.⁸

Other privileges and courtesies extended to former Members of the House include the following:

- parking in House parking facilities, as space is available;
- assistance with retirement and other benefits from the Office of Members' Services;
- membership in the Wright Patman Congressional Federal Credit Union;
- permanent House of Representatives ID card from the Clerk of the House;
- use of the collections in the House Legislative Resource Center and Senate Library without borrowing privileges;
- use of the House Document Room;
- seating in the House restaurant facilities and Members' dining room; and
- membership in the U.S. Association of Former Members of Congress.⁹

Senate

Former Senators are entitled to admission to the floor of the Senate while it is in session.¹⁰ A former Senator who becomes a registered lobbyist, agent of a foreign principal, or is employed to influence legislation, is denied floor privileges except for ceremonial functions and events designated by the majority leader and minority leader, pursuant to regulations promulgated by the Committee on Rules and Administration.¹¹

Former Senators may obtain a permit allowing them to park in outdoor lots controlled by the Senate. For a fee, former Senators are allowed to use the Senate athletic facilities. Any former Senator who is a registered lobbyist or agent of a foreign principal, or who is employed or retained for the purpose of influencing legislation, is not entitled to these courtesies.¹²

Other privileges and courtesies extended to former Senators include the following:

- services from the Senate Disbursing Office, including check cashing privileges and assistance with retirement and other benefits;
- use of the Senate Credit Union;
- permanent ID from the Senate Sergeant at Arms;
- limited use of the Senate Dining Room;

⁸ H.Res. 5, §3(c).

⁹ For more information, see <http://www.usafmc.org>.

¹⁰ Senate Rule XXIII.

¹¹ Senate Rule XXIII.

¹² Senate Rule XXIII.

- 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.¹³

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¹³ For more information, <http://www.usafmc.org>.