

B. COMMITTEE CHAIRMEN, MEMBERS, AND EMPLOYEES**§ 8. In General; Electing Chairmen**

The sections that follow discuss the manner in which the House elects chairmen of its committees.⁽¹⁷⁾ Considerations involving the election of subcommittee chairmen are not reflected in the precedents, however. These are matters determined by the majority party of the particular Congress pursuant to that party's rules of organization.

For example, under the 1977 rules of the Democratic Caucus,⁽¹⁸⁾ once the Caucus has approved that party's nominees to the standing committees (or other committees with legislative jurisdiction), the chairman of each is obliged to call a meeting of all the Democratic members of the committee, giving at least three days notice and prior to any organizational meeting of the full committee. Then, Democratic mem-

bers of the committee have the right, in order of full committee seniority, or seniority on the subcommittee concerned, as the Democratic Caucus on the committee [i.e., all the Democratic members of the committee] may determine, to bid for subcommittee chairmanships.⁽¹⁹⁾ The committee caucus then votes by secret ballot and the request must be supported by at least a majority of those present. If the committee caucus rejects a subcommittee chairmanship bid, the next senior Democratic member may bid for the position. An exception to this procedure occurs with respect to the subcommittees of the Committee on Appropriations—in which case it is required that the full Democratic Caucus shall also vote by secret ballot on each Member nominated to serve as chairman of an appropriations subcommittee.

Procedures affecting Republican subcommittee members have been less formalized.⁽²⁰⁾ With respect to selecting ranking Republican members on committees generally, or chairmen when the Republican party is in the majority, the Re-

17. For a discussion of the role of party organizations in this process, see Ch. 3, *supra*. For an in-depth treatment of how the majority party of a given Congress chooses committee chairmen nominees, see the rules of the Democratic Caucus and the minutes of the Republican Conference.

18. Democratic Caucus rules (June 2, 1977) section M III A.

19. Democratic Caucus rules (June 2, 1977) section M V A.

20. See § 9, *infra*.

publican Conference in 1970 adopted procedures recommended by the Conable task force⁽²¹⁾ whereby the conference, by secret ballot, votes separately on nominations made by the Committee on Committees. Such nominations are made not necessarily on the basis of seniority.

By Resolution

§ 8.1 The chairman of a standing committee is elected by privileged resolution recommended by the majority party caucus or Committee on Committees and adopted by the House.

On June 5, 1963,⁽²²⁾ Speaker John W. McCormack, of Massachusetts, recognized Mr. Wilbur D. Mills,⁽²³⁾ of Arkansas:

Mr. Speaker, I offer a privileged resolution (H. Res. 388) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That Edwin E. Willis, of Louisiana, be and he is hereby elected chairman of the Standing Com-

21. See Ch. 3, §9.2, *supra*.

22. 109 CONG. REC. 10187, 88th Cong. 1st Sess.

23. Mr. Mills was Chairman of the Committee on Ways and Means and Chairman of the Democratic Committee on Committees.

mittee of the House of Representatives on Un-American Activities. The resolution was agreed to.

Privileged Status of Resolution Electing Chairman

§ 8.2 A resolution providing for the election of the chairman of a standing committee of the House is called up as privileged by the chairman of the majority party entity designated to recommend committee assignments.

On Nov. 18, 1970,⁽²⁴⁾ a vacancy having developed in the chairmanship of the Committee on Government Operations,⁽²⁵⁾ Mr. Wilbur D. Mills,⁽²⁶⁾ of Arkansas, offered the following privileged resolution (H. Res. 1263) and asked for its immediate consideration:

Resolved, That Chet Holifield, of California, be, and he is hereby, elected Chairman of the standing committee of the House of Representatives on Government Operations.

The resolution was agreed to without debate.

24. 116 CONG REC. 37823, 91st Cong. 2d Sess.

25. The vacancy was caused by the death of William L. Dawson (Ill.), who had chaired the committee for 15 consecutive years.

26. Mr. Mills was Chairman of the Committee on Ways and Means as well as the Democratic Committee on Committees.

Death of Chairman**§ 8.3 When a vacancy is created on a standing committee by the death of its chairman, the House by resolution elects a new chairman to fill the vacancy.**

On Sept. 21, 1961,⁽²⁷⁾ a vacancy having developed in the chairmanship of the Committee on Science and Astronautics,⁽¹⁾ Speaker pro tempore John W. McCormack, of Massachusetts, recognized Mr. Wilbur D. Mills, of Arkansas, and the following events transpired:

Mr. Speaker, I offer a privileged resolution (H. Res. 474) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That George P. Miller, of California, be, and he is hereby, elected chairman of the standing Committee of the House of Representatives on Science and Astronautics.

The resolution was agreed to.

Election During Final Days of Congress**§ 8.4 The House adopted a privileged resolution electing a Member Chairman of the Committee on Armed Serv-**

27. 107 CONG. REC. 20549, 87th Cong. 1st Sess.

1. The vacancy was caused by the death of Overton Brooks (La.), who had served as chairman of the committee from 1959.

ices during the final three days of the 91st Congress, to fill a vacancy.

On Dec. 30, 1970,⁽²⁾ a vacancy having developed in the chairmanship of the Committee on Armed Services,⁽³⁾ Mr. Wilbur D. Mills, of Arkansas, was recognized by Speaker John W. McCormack, of Massachusetts, and the following events took place:

Mr. Speaker, by direction of the Committee on Committees, I offer a privileged resolution (H. Res. 1322), and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That Philip J. Philbin, of Massachusetts, be, and he is hereby, elected chairman of the standing committee of the House of Representatives on Armed Services. The resolution was agreed to.

Election Following Resignation**§ 8.5 The House agreed to a resolution electing a chairman of a standing committee**

2. 116 CONG. REC. 44163, 91st Cong. 2d Sess.
3. The vacancy was caused by the death of L. Mendel Rivers (S.C.) on Dec. 28, 1970. Mr. Rivers had served as chairman of the committee since 1965.

Mr. Philbin was a "lame-duck" Member of the 91st Congress, having been defeated for renomination to the 92d Congress.

after the previous chairman resigned.

On Sept. 24, 1940,⁽⁴⁾ Speaker Sam Rayburn, of Texas, laid before the House the following communication which was read by the Clerk:

SEPTEMBER 18, 1940.

Hon. Sam RAYBURN,
Speaker of the House of Representatives, U.S., Washington, D.C.

MY DEAR MR. SPEAKER: I hereby respectfully tender my resignation as chairman of the Committee on the Public Lands [now the Committee on Interior and Insular Affairs].

It is my intention to remain on the committee as a member.

Respectfully,
RENE L. DEROUEN.

The Speaker inquired as to whether there was any objection, and none being heard, the resignation was accepted.

Immediately thereafter, the Chair recognized Mr. Robert L. Doughton,⁽⁵⁾ of North Carolina:

Mr. Speaker, I offer the following resolution, which I send to the desk, and I move its immediate adoption.

The Clerk read as follows:

HOUSE RESOLUTION 610

Resolved, That J. W. Robinson, of Utah be, and he is hereby, elected chairman of the standing committee

4. 86 CONG. REC. 12560, 76th Cong. 3d Sess.

5. Mr. Doughton was Chairman of the Committee on Ways and Means.

of the House of Representatives on Public Lands.

The resolution was agreed to.

§ 8.6 The House elected chairmen to two standing committees after accepting resignations from the previous chairmen.

On Oct. 14, 1940,⁽⁶⁾ resignations were accepted from Mr. Lindsay C. Warren, of North Carolina, and Mr. John J. Cochran, of New York, as chairmen of their respective committees. By separate resolutions, Mr. Cochran was elected to chair the House standing Committee on Accounts [now, the Committee on House Administration] and Mr. James A. O'Leary, of New York, to chair the Committee on Expenditures in the Executive Departments [now, the Committee on Government Operations].

The Record discloses these changes to have been effected as follows:

The Speaker laid before the House the following resignation:

WASHINGTON, D.C.

Hon. SAM RAYBURN,
Speaker, House of Representatives.

MY DEAR MR. SPEAKER: I herewith submit my resignation as chairman of the Committee on Accounts, effective at the close of business October 31, 1940.

6. 86 CONG. REC. 13551, 76th Cong. 3d Sess.

Respectfully,
LINDSAY C. WARREN.

THE SPEAKER:⁽⁷⁾ Without objection, the resignation will be accepted.

There was no objection.

The Speaker laid before the House the following resignation:

WASHINGTON, D.C.

Hon. SAM RAYBURN,
Speaker, House of Representatives,
Washington, D.C.

MY DEAR MR. SPEAKER: I herewith submit my resignation as chairman of the Committee on Expenditures in the Executive Departments, effective at the close of business October 31.

It is my intention to retain my membership on the committee.

Sincerely yours,
JOHN J. COCHRAN.

THE SPEAKER: Without objection, the resignation will be accepted. There was no objection.

ELECTION TO COMMITTEES

Mr. [THOMAS H.] CULLEN [of New York]: Mr. Speaker, I offer a privileged resolution (H. Res. 626) and move its adoption.

The Clerk read as follows:

HOUSE RESOLUTION 626

Resolved, That John J. Cochran, of Missouri, be, and he is hereby, elected chairman of the standing committee of the House of Representatives on Accounts, effective as of November 1, 1940.

The resolution was agreed to.

Mr. CULLEN: Mr. Speaker, I offer a further privileged resolution (H. Res. 627) and move its adoption.

7. Sam Rayburn (Tex.).

The Clerk read as follows:

HOUSE RESOLUTION 627

Resolved, That James A. O'Leary, of New York, be, and he is hereby, elected chairman of the standing committee of the House of Representatives on Expenditures in the Executive Departments, effective as of November 1, 1940.

The resolution was agreed to.

Election Resolutions; Recognition to Offer

§ 8.7 A resolution electing a Chairman of the Committee on Merchant Marine and Fisheries [a vacancy having been created by the death of the former chairman] was offered by the Chairman of the Committee on Ways and Means in his capacity as Chairman of the majority party's Committee on Committees.

On Jan. 10, 1966,⁽⁸⁾ a vacancy having arisen in the chairmanship of the Committee on Merchant Marine and Fisheries,⁽⁹⁾ Speaker pro tempore Carl Albert, of Oklahoma, recognized Mr. Wilbur D. Mills, of Arkansas:

Mr. Speaker, I offer a privileged resolution (H. Res. 630) and ask for its immediate consideration.

8. 112 CONG. REC. 6, 89th Cong. 2d Sess.

9. The vacancy developed upon the death of Herbert C. Bonner (N.C.), on Nov. 7, 1965. Mr. Bonner had chaired the committee since 1955.

The Clerk recall the resolution as follows:

H. RES. 630

Resolved, That Edward A. Garmatz, of Maryland, be and he is hereby, elected chairman of the standing Committee of the House of Representatives on Merchant Marine and Fisheries.

Immediately thereafter, the resolution was agreed to.

Parliamentarian's Note: The appointment of committee chairmen is ultimately determined by the party organizations, i.e., the Democratic Caucus or the Republican Conference depending upon which party constitutes the majority party at the time. For treatment of this subject, see Chapter 3, *supra*.

Beginning with the 94th Congress, the Steering and Policy Committee, chosen by the Democratic Caucus, rather than the Democratic membership of the Ways and Means Committee, has acted in the capacity of the Democratic Committee on Committees. The Chairman of the Democratic Caucus is now recognized to offer resolutions electing committee chairmen and members. (See, for example, H. Jour. 127, 95th Cong. 1st Sess., Jan. 19, 1977.)

§9. Electing Members to Standing Committees

The sections that follow discuss the manner in which the House elects members to standing committees.⁽¹⁰⁾ Considerations involving the election of members to subcommittees are not reflected in the precedents, as determinations are separately made by the majority and minority party members who constitute the membership of the committee.

For example, under the 1977 rules of the Democratic Caucus,⁽¹¹⁾ once the Caucus has approved that party's nominees to the standing committees (or other committees with legislative jurisdiction), the chairman of each is obliged to call a meeting of all the Democratic members of the committee, giving at least three days notice and prior to any organizational meeting of the full committee.⁽¹²⁾ The Democratic members of the committee—also known as the committee caucus—then fill the subcommittee positions in the following manner:

(1) Step One—Members who served on the committee in the preceding Con-

10. For a discussion of the role of party organizations with regard to this process, see Ch. 3, *supra*. For an in-depth treatment of the role of party organizations with respect to committee assignments, see the rules of the Democratic Caucus and the rules of the Republican Conference.

11. Democratic Caucus rules (June 2, 1977) section M III A.

12. Democratic Caucus rules (June 2, 1977) section M V B.