

## C. HOUSE OFFICERS

## § 15. Qualifications

This division<sup>(13)</sup> discusses the officers of the House (other than the Speaker and Speaker pro tempore)—the Clerk, Sergeant at Arms, Doorkeeper, Postmaster<sup>(14)</sup> and Chaplain; it discusses their election,<sup>(15)</sup> compensation,<sup>(16)</sup> duties,<sup>(17)</sup> and the problem of vacancies and the selection of successors.<sup>(18)</sup>

Every officer of the Congress is authorized to determine the qualifications of all individuals before appointing them to subordinate positions and to discipline any employee under his supervision.<sup>(19)</sup> And any officer who violates the statutory prohibitions

13. Generally see 1 Hinds' Precedents Ch. 6 and 6 Cannon's Precedents Ch. 153, for precedents prior to 1936 which relate to House officers.

14. The Postmaster, whose duties are outlined in Rule VI of the *House Rules and Manual* § 654 (1973), is an officer of the House. See 1 Hinds' Precedents §§ 269–271 and 6 Cannon's Precedents § 34.

15. See § 16, *infra*.

16. See § 17, *infra*.

17. See §§ 18–21, *infra*.

18. See § 22, *infra*.

See also Ch. 37, *infra*, relating to resignations, and Ch. 38, *infra*, relating to deaths of officers.

19. 2 USCA § 60–1(a).

against assigning employees to positions for which they were not appointed,<sup>(20)</sup> against dividing salaries,<sup>(1)</sup> or against subletting duties of employees<sup>(2)</sup> may be removed from office.<sup>(3)</sup>

The House rules provide that no person who is an agent for the prosecution of any claim against the government, or who is interested in such claim other than as an original claimant, may serve as an officer or continue as an employee of the House.<sup>(4)</sup>

## § 16. Election

Although the Constitution<sup>(5)</sup> provides that, "The House . . . shall choose their Speaker and other officers . . .", it neither names the officers nor sets forth their method of selection. This gap has been filled by Rule II of the *House Rules and Manual* which provides that the Clerk, Sergeant at Arms, Doorkeeper, Postmaster, and Chaplain shall be elected "by viva voce vote" at the commence-

20. 2 USC § 85.

1. 2 USC § 86.

2. 2 USC § 87.

3. 2 USCA § 90.

4. Rule XLI, *House Rules and Manual* § 937 (1973).

5. U.S. Const. art. I, § 2.