

**the Doorkeeper calls the House to order when a Congress convenes and presides until a Speaker is elected and takes the chair.**

On Jan. 3, 1947,<sup>(3)</sup> the Doorkeeper, Ralph R. Roberts, called the House to order at the commencement of the 80th Congress and presided until a Speaker was elected because the Clerk of the 79th Congress had died and the Sergeant at Arms was absent.

### §21. Duties of the Chaplain

The Chaplain of the House is responsible for offering a prayer at the commencement of each day's sitting of the House under Rule VII of the *House Rules and Manual*.<sup>(4)</sup>

Although the prayer generally precedes the transaction of any business,<sup>(5)</sup> it follows the election of a new Speaker at the first meeting after the death of a Speaker.<sup>(6)</sup> And despite the general practice that a prayer be of-

3. 93 CONG. REC. 33-35, 80th Cong. 1st Sess.

4. Rule VII *House Rules and Manual* §650 (1973).

5. 4 Hinds' Precedents §3056.

6. §21.4, *infra*.

ferred daily,<sup>(7)</sup> it was not offered on certain occasions.<sup>(8)</sup>

### *Application of Quorum Requirement to Prayer*

**§21.1 A quorum is not required for prayer by the Chaplain when a meeting commences, and the Speaker does not recognize Members for a point of order against the prayer based on the absence of a quorum.**

On Mar. 19, 1941,<sup>(9)</sup> a Member raised a parliamentary inquiry:

MR. [ROBERT F.] RICH [of Pennsylvania]: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER [Sam Rayburn, of Texas]: The gentleman will state it.

MR. RICH: Mr. Speaker, when I was seeking recognition from the Speaker before the Chaplain offered prayer, I felt that there would be a call of the House and I thought it would be a good thing for all the Members to be here for once to hear the Chaplain offer prayer. What does the Speaker think about that? Would it be proper procedure for a Member to make the point of order that a quorum is not present before the Chaplain offers prayer?

THE SPEAKER: As the Chair understands it, it has been held many times

7. See §21.2, *infra*.

8. See §21.3, *infra*, for instances where no prayer was offered.

9. 87 CONG. REC. 2352, 77th Cong. 1st Sess.

that the prayer is not such business of the House that a quorum is required.<sup>(10)</sup>

### ***When Prayers Are Offered***

**§ 21.2 As a general rule, a prayer is offered daily, whether the House had adjourned until the next day or had recessed at its previous sitting.**

On June 18, 1948,<sup>(11)</sup> a prayer was offered by the Chaplain at the expiration of a recess.

On the legislative day of Sept. 22, 1961,<sup>(12)</sup> a prayer was offered at 10 o'clock a.m. after the Speaker pro tempore had recessed the House at 6:19 p.m. on the previous calendar day.<sup>(13)</sup>

**§ 21.3 Notwithstanding the usual practice that a prayer be offered daily, it has not been offered where the House is meeting after a recess to transact business of the same legislative day, although a new calendar day may have begun.**

On the legislative day of Aug. 31, 1960, after a recess begun at

10. See also 6 Cannon's Precedents 663.

11. 94 CONG. REC. 8824, 80th Cong. 2d Sess.

12. 107 CONG. REC. 20888, 87th Cong. 1st Sess., Sept. 23, 1961.

13. 107 CONG. REC. 20869, 87th Cong. 1st Sess., Sept. 22, 1961.

3:37 a.m., no prayer was offered prior to resumption of business in the House at 12 o'clock noon on the same legislative day, although a new calendar day, Sept. 1, 1960, had begun.<sup>(14)</sup>

### ***Prayers After Death of Speaker***

**§ 21.4 At the first meeting following the death of a Speaker during a Congress, the prayer is not offered by the Chaplain until the oath has been administered to the Speaker-elect.**

Although a prayer normally precedes the transaction of any business under Rule XXIV clause 1,<sup>(15)</sup> including the election of a new Speaker at the commencement of a Congress,<sup>(16)</sup> the prayer follows

14. See 106 CONG. REC. 18921 (recess on legislative day of Aug. 31, at 3:37 a.m., Sept. 1), 86th Cong. 2d Sess., Aug. 31, 1960; and 106 CONG. REC. 19113 (resumption of business for legislative day of Aug. 31 at 12:00 noon, Sept. 1), 86th Cong. 2d Sess., Sept. 1, 1960.

15. 4 Hinds' Precedents § 3056.

16. For instances involving the election at the commencement of Congress of a different Member to the office of Speaker when his predecessor has chosen not to seek reelection to the House, see 77 CONG. REC. 67, 73d Cong. 1st Sess., Mar. 9, 1933, election of Henry T. Rainey; 117 CONG. REC. 9, 92d Cong. 1st Sess., Jan. 21,

the administration of the oath to a Speaker-elect whose election was necessitated by the death of his predecessor.<sup>(1)</sup>

### ***Printing of Prayers***

#### **§ 21.5 The House has authorized the printing of prayers offered by the Chaplain of the House.**

On Mar. 11, 1965,<sup>(2)</sup> the House authorized the printing of prayers offered by the Chaplain of the House, Rev. Bernard Braskamp, as follows:

MR. [WAYNE L.] HAYS [of Ohio]: Mr. Speaker, by direction of the Committee on House Administration I call up

1971, election of Carl Albert after John W. McCormack did not seek reelection to the House in 1970.

1. See 80 CONG. REC. 9016, 74th Cong. 2d Sess., June 4, 1936, election of William B. Bankhead after death of Joseph W. Byrns on same date; and 86 CONG. REC. 12231, 76th Cong. 3d Sess., Sept. 16, 1940, election of Sam Rayburn after death of William B. Bankhead on Sept. 15, 1940.

Compare 79 CONG. REC. 9, 74th Cong. 1st Sess., Jan. 3, 1935, election of Joseph W. Byrns, the prayer preceding the administration of the oath. The previous Speaker, Henry T. Rainey, died on Aug. 19, 1934, two months after adjournment of the second session of the 73d Congress on June 15, 1933.

2. 111 CONG. REC. 4766, 89th Cong. 1st Sess.

House Resolution 230 and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 230

*Resolved*, That the prayers offered by the Chaplain, the Reverend Bernard Braskamp, doctor of divinity, at the opening of the daily sessions of the House of Representatives of the United States during the Eighty-seventh and Eighty-eighth Congresses, be printed as a House document, and that two thousand additional copies be printed and bound for the use of the House of Representatives, to be distributed by the Chaplain of the House of Representatives.

With the following committee amendment:

On page 1, line 6, strike out "two" and insert "one".

The committee amendment was agreed to.

The resolution was agreed to.

### ***Prayers Offered on Special Occasions***

#### **§ 21.6 On the day following the shooting in the House Chamber in which several Members were wounded, the Chaplain offered a special prayer when the House convened.**

On Mar. 2, 1954,<sup>(3)</sup> the Chaplain of the House, Rev. Bernard Braskamp, D.D., offered the following prayer:

Almighty God, our Father, by whose mercies we have been spared and by

3. 100 CONG. REC. 2483, 83d Cong. 2d Sess.

whose powers we are sustained in our earthly pilgrimage, we are coming unto Thee with a humble spirit and a contrite heart.

Gird us now with courage and with confidence in Thy loving kindness for Thou art never closer unto us than when our hearts are wrung with sorrow and our heads are bowed in tribulation.

We commend unto Thy gracious care in keeping our beloved colleagues, beseeching Thee that Thou wilt share Thine eternal wisdom with the doctors and nurses for Thou art the Great Physician who canst mediate unto them divine skill and enable them to do that which is far beyond all that we can ask or think.

Grant unto the Members of the sorrowing and stricken families the consolidations of Thy grace and, as they bravely carry on and faithfully and patiently keep the vigil of faith, hope, and love, may they have the blessed companionship of that friend who sticketh closer than a brother.

We thank Thee for the beautiful spirit of Thy servant, so seriously ill, who has besought us to remember in our prayer those who have harmed us. May we also emulate the example of our blessed Lord who prayed, "Father, forgive them for they know not what they do."

To Thy name, through Jesus Christ our Lord and Saviour, we ascribe all the praise. Amen.

### ***Absence of Chaplain***

#### **§ 21.7 The prayer may be offered by an acting Chaplain.**

On Apr. 25, 1966,<sup>(4)</sup> Dr. Edward Gardiner Latch, acting Chaplain

4. 112 CONG. REC. 8786, 89th Cong. 2d Sess.

of the House, offered the following opening prayer:

God is our refuge and strength, a very present help in trouble. Therefore will we not fear.—Psalm 46:1.

O God, our Father, who art the refuge and strength of Thy people in every age and our refuge and our strength in this present hour, we pause in Thy presence to offer unto Thee once again the devotion of our hearts. Amid all the changes of this life, help us to rest our spirits upon those eternal foundations of truth and love which Thou hast laid for us. Save us from restlessness, from confusion, and from perpetual movement. Draw us unto Thyself that for this moment we may be still and know that Thou art God. With the assurance of Thy Spirit may we accept the responsibilities of This day and fulfill all our obligations with fidelity and honor. Into Thy loving arms we commit ourselves and our Nation—praying that together we may be one in Thee: through Jesus Christ our Lord. Amen.

Dr. Latch was appointed as acting Chaplain by the Speaker, John W. McCormack, of Massachusetts, on Mar. 14, 1966. Daily prayers during the period between that date and Apr. 25, were offered by visiting chaplains who had been scheduled by the Doorkeeper following the death of Chaplain Braskamp.

#### **§ 21.8 In the absence of the Chaplain of the House, the Members rose for a silent prayer.**

On Oct. 5, 1949,<sup>(5)</sup> Members were asked to rise for a moment of silent prayer.

The House met at 10 o'clock a.m.

THE SPEAKER [Sam Rayburn, of Texas]: Will the membership rise for a moment in silent prayer?

*Parliamentarian's Note:* Although the Chaplain of the House had designated an acting Chaplain to serve during his absence, the acting Chaplain was unaware that the House had agreed to convene at 10 o'clock a.m. and arrived too late to open the House with a prayer.

### § 21.9 Visiting Chaplains offer prayers when the Chaplain of the House is absent.

On June 9, 1948,<sup>(6)</sup> the prayer was offered by a woman minister,<sup>(7)</sup> for the first time in the history of the Congress.

On June 21, 1965,<sup>(8)</sup> the prayer was offered in the House by Rev. Harold S. Horan, son of Walter F. Horan, a former Member (1943–55) from Washington.

5. 95 CONG. REC. 13897, 81st Cong. 1st Sess.

6. 94 CONG. REC. 7597, 7598, 80th Cong. 2d Sess.

7. Rev. Annalee Stewart, of Chicago and Boston.

8. 111 CONG. REC. 14097, 89th Cong. 1st Sess.

## § 22. Vacancies; Selection of Successors

The unexpected death of the Sergeant at Arms, William F. Russell, on July 8, 1953,<sup>(9)</sup> dramatically underscored the need for a mechanism to select acting officers. On that date,<sup>(10)</sup> the House authorized Lyle O. Snader, Clerk of the House, to serve concurrently as Clerk and Sergeant at Arms with the proviso that he would receive no additional compensation for performing the duties of the Sergeant at Arms.<sup>(11)</sup> Later, Congress passed a statute (2 USCA §75a–1) authorizing the Speaker to appoint a person to act as Clerk, Sergeant at Arms, Doorkeeper, Postmaster, or Chaplain whenever a vacancy occurs.<sup>(12)</sup>

### *Appointments by Speaker*

#### § 22.1 The Speaker is authorized by statute to appoint temporary officers to fill vacancies.

On July 28, 1953,<sup>(13)</sup> Mr. Charles A. Halleck, of Indiana, of-

9. See 99 CONG. REC. 8263, 83d Cong. 1st Sess. for announcement of the death of the Sergeant at Arms.

10. 99 CONG. REC. 8242, 83d Cong. 1st Sess.

11. See § 16.3, *supra*.

12. See § 22.1, *infra*, for text of resolution.

13. 99 CONG. REC. 10128, 83d Cong. 1st Sess.