

Resignations

A. Introduction

§ 1. Scope of Chapter

This chapter covers resignations from the House of Representatives (with occasional illustrative instances from the Senate). Also addressed are resignations from committees, boards, and commissions and resignations of certain officers and staff of the House.

Because the process of resignation relates to a number of other House procedures, the reader may wish to consult other chapters, particularly those dealing with the assembly of Congress (Ch. 1, *supra*), party organizations in the House (Ch. 3, *supra*), officers, officials, and employees (Ch. 6, *supra*), committees (Ch. 17, *supra*), and House-Senate conferences (Ch. 33, *supra*).

§ 2. Background

The resignation of a Member from the House, whether presented to the executive authority of the State concerned or to the Speaker of the House, becomes ef-

fective on its stated terms and ordinarily may not be withdrawn.⁽¹⁾

1. 2 Hinds' Precedents §1213 and 6 Cannon's Precedents §65 (addressing whether a proposal to withdraw a resignation may be privileged). Extracts from the Judiciary Committee report in 6 Cannon's Precedents §65 state without citation that resignations are "self-acting" and may not be withdrawn. In one case a Member was not permitted by the House to withdraw a resignation. 2 Hinds' Precedents §1213. However, the House has allowed withdrawal in the case of defective resignation. 6 Cannon's Precedents §229 (Member had not actually transmitted, or withdrawal had overtaken, letter of resignation); §5.1, *infra* (Member had transmitted resignation to improper State official). A Member may appoint a future date for his resignation to take effect and, until the arrival of the date, participate in the proceedings of the House. 2 Hinds' Precedents §§1220–1225, 1228, 1229; 6 Cannon's Precedents §§227, 228; §5.1, *infra*. The modern practice of resignations with prospective effective dates has engendered a possible distinction between those including explicit language of irrevocability and others (see §5, *infra*). For a State to prospectively perceive a vacancy by reason of a prospective resignation, it presumably must be