

the State of New York, as required by State law.<sup>(3)</sup>

#### § 4. Reason for Resignation; Inclusion in Letter of Resignation

When a Member resigns as a Representative, the basis of, or reasons for, the Member's resignation may or may not be included in the Member's letter of resignation. In recent years, the general practice has been for a Member resigning from the House to include in the Member's letter of resignation the reasons for the Member's termination of service in the House.

Among the reasons for which Members have resigned have been to serve in the Armed Forces,<sup>(1)</sup> to accept an appointment as a cabinet secretary or in another Executive branch position,<sup>(2)</sup> to assume office as a Member of the Senate,<sup>(3)</sup> to accept an appointment as a member of the United States delegation to the United Nations,<sup>(4)</sup> or as an ambassador to another nation,<sup>(5)</sup> to assume office

3. See § 3.9, *supra*.

1. See § 4.1, *infra*.

2. See § 4.2, *infra*.

3. See §§ 4.3, 4.4, *infra*.

4. See § 4.5, *infra*.

5. See § 4.6, *infra*.

as a State Governor or city Mayor,<sup>(6)</sup> to accept an appointment as a Federal<sup>(7)</sup> or State<sup>(8)</sup> judge, to create a vacancy and run for the vacant seat, in the case of a change in party affiliation<sup>(9)</sup> or a contested election,<sup>(10)</sup> to serve a jail sentence on conviction of a crime,<sup>(11)</sup> and, in the case of a Senator, to create a vacancy to be filled by appointment by a State Governor.<sup>(12)</sup>

#### *Service in the Armed Forces*

##### § 4.1 A Member resigned, stating in his letter to the Speaker his intention to serve in the Armed Forces.

On Nov. 14, 1944,<sup>(1)</sup> Speaker Sam Rayburn, of Texas, laid before the House a letter from a Member stating that he had submitted to the Governor of his State his resignation as a Member of the House and that the reason for the resignation was to serve in the Armed Forces.

OCTOBER 19, 1944.

6. See § 4.7, *infra*.

7. See § 4.8, *infra*.

8. See § 4.9, *infra*.

9. See § 4.10, *infra*.

10. See § 4.11, *infra*.

11. See § 4.12, *infra*.

12. See §§ 4.13, 4.14, *infra*.

1. 90 CONG. REC. 8163, 78th Cong. 2d Sess.

Hon. SAM RAYBURN,  
*Speaker of the House,*  
*Congress of the United States,*  
*Washington, D. C.*

MY DEAR MR. SPEAKER: Effective this date, I have submitted to the Honorable Spessard L. Holland, Governor of Florida, my resignation as a Member of the Seventy-eighth Congress from the Third District of Florida.

I take this step in order to serve in the armed forces of my country.

With personal regards, and with genuine appreciation for the uniform cooperation and splendid leadership which you have given me, I am,

Sincerely,  
BOB SIKES.

***Service in the Executive Branch***

**§ 4.2 Members have resigned their seats in the House to serve in Executive branch positions.**

On Sept. 2, 2005,<sup>(1)</sup> the Speaker pro tempore<sup>(2)</sup> laid before the House a letter from a Member advising of his resignation. The letter was accompanied by a copy of the actual letter of resignation that the Member submitted to the State official concerned. The proceedings were as follows:

**RESIGNATION FROM THE HOUSE OF REPRESENTATIVES**

The SPEAKER pro tempore laid before the House the following resigna-

1. 151 CONG. REC. 19424, 109th Cong. 1st Sess.
2. Tom DeLay (TX).

tion from the House of Representatives:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, July 29, 2005.*

Hon. J. DENNIS HASTERT,  
*Speaker of the House,*  
*The Capitol, Washington, DC.*

DEAR MR. SPEAKER: Today, the U.S. Senate voted to confirm me for the position of Chairman of the Securities and Exchange Commission. As a result, I must submit to you herewith my resignation as a Member of the U.S. House of Representatives, effective as of 6 p.m. pdt on Tuesday, August 2, 2005. I have also written to Governor Schwarzenegger to advise him of my resignation.

Mr. Speaker, even more significant than the privilege of serving for 17 years in the House of Representatives has been the opportunity to serve with you in the elected Majority Leadership for the last 10 years. Thank you, again, for your friendship, your courage under fire, your wisdom, and your sterling example over so many years.

I very much look forward to continuing to work with you and serving the Nation in my new position.

Sincerely,  
CHRISTOPHER COX,  
*U.S. Representative.*

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, July 29, 2005.*

*Hon. ARNOLD SCHWARZENEGGER,*  
*Governor, State of California, State*  
*Capitol Building, Sacramento, CA.*

DEAR GOVERNOR SCHWARZENEGGER: Today, I have been confirmed by the U.S. Senate for the position of Chairman of the Securities and Exchange Commission.

Accordingly, I am writing to inform you that, effective as of 6 p.m. pdt on Tuesday, August 2, 2005, I will resign my seat as the Representative of the 48th District of California in the U.S. House of Representatives. I have also written to House Speaker Hastert to inform him of the timing of my resignation.

For the past 17 years, I have had the great privilege and honor of representing the people of Orange County, California in the House of Representatives. My service in the Congress has been a truly rewarding experience, and I am grateful to Orange County's citizens for putting their trust and faith in me. As a member of the elected Majority Leadership and Chairman of three House committees, I have been especially privileged to have had the opportunity to work closely with you and our other elected California leaders on so many shared priorities.

Thank you, again, for your friendship and support. I look forward to continuing to work with you, and to serve California and the Nation in my new position.

Sincerely,

CHRISTOPHER COX,  
*U.S. Representative.*

On May 2, 2005,<sup>(3)</sup> the Speaker pro tempore<sup>(4)</sup> laid before the House a letter of resignation from a Member, accompanied by a copy of the letter of resignation that the Member submitted to the State official concerned:

RESIGNATION FROM THE  
HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resigna-

3. 151 CONG. REC. 8388, 109th Cong. 1st Sess.
4. Tim Murphy (PA).

tion from the House of Representatives:<sup>(5)</sup>

CONGRESS OF THE UNITED STATES,  
*Washington, DC, April 29, 2005.*

Hon. J. DENNIS HASTERT,  
*Speaker, House of Representatives,*  
*The Capitol, Washington, DC.*

DEAR MR. SPEAKER: I have been nominated by President Bush and confirmed by the United States Senate for the position of United States Trade Representative. Therefore, I have submitted my resignation as a Member of the U.S. House of Representatives, effective 12 noon, April 29, 2005. I am forwarding to you a copy of my letter of resignation to Ohio Governor Bob Taft.

Mr. Speaker, it has been a high honor to represent the Second Congressional District of Ohio for the past twelve years, and to serve with the distinguished men and women of the House of Representatives. I look forward to working with the Members of the House and serving the Nation in my new position.

Sincerely,

ROB PORTMAN,  
*Representative.*

CONGRESS OF THE UNITED STATES,  
*Washington, DC, April 29, 2005.*

Hon. ROBERT TAFT,  
*Governor, State of Ohio,*  
*Columbus, Ohio.*

DEAR GOVERNOR TAFT: I have been nominated by President Bush and confirmed by the United States Senate for the position of United States Trade

5. *Parliamentarian's Note:* Representative Portman resigned to become the United States Trade Representative.

**Ch. 37 §4**      DESCHLER-BROWN-JOHNSON PRECEDENTS

Representative. Therefore, I hereby resign as a Member of the U.S. House of Representatives, effective 12 noon, April 29, 2005.

It has been a honor to represent the Second Congressional District of Ohio for the past twelve years, and an honor to work with you and the Ohio delegation. I look forward to working with you and serving Ohio and the Nation in my new position.

Sincerely,

ROB PORTMAN,  
*Representative.*

On Sept. 5, 2001,<sup>(6)</sup> the Speaker laid before the House a communication from a Member resigning his seat in the House effective Aug. 6, 2001, to become the Administrator of the Drug Enforcement Agency.

HOUSE OF REPRESENTATIVES  
*Washington, DC, August 3, 2001.*

Speaker J. DENNIS HASTERT,  
*The U.S. House of Representatives,  
The Capitol, Washington, DC.*

DEAR MR. SPEAKER: As a result of my nomination by President George W. Bush and my subsequent confirmation by the U.S. Senate to serve as Administrator of the Drug Enforcement Administration, I hereby resign from the U.S. House of Representatives. This resignation is to be effective at 2400 hours on Monday, August 6, 2001.

Enclosed you will find a copy of my letter to Governor Mike Huckabee of Arkansas stating the same.

6. 147 CONG. REC. 16381, 107th Cong. 1st Sess.

Sincerely,

ASA HUTCHINSON.

HOUSE OF REPRESENTATIVES  
*Washington, DC, August 3, 2001.*

Governor MIKE HUCKABEE,  
*State Capitol Building,  
Little Rock, AR.*

DEAR GOVERNOR HUCKABEE: Please accept this letter as notice that my resignation from the U.S. House of Representatives shall be effective at the 2400 hours on Monday, August 6, 2001.

Sincerely,

ASA HUTCHINSON.

On Jan. 25, 1993,<sup>(7)</sup> the Speaker laid before the House a communication from a Member resigning his seat in the House to become the Secretary of Agriculture.

*January 22, 1993.*

Hon. THOMAS FOLEY,  
*Speaker, House of Representatives,  
Washington, DC.*

DEAR MR. SPEAKER: It has been a pleasure and honor for me to serve in the U.S. House of Representatives. As you know, I have resigned today to serve in the President's Cabinet as Secretary of Agriculture. I hope to continue to work with you in my new position and I thank you for your leadership through the years.

Please find enclosed my resignation letter to Mississippi Governor Kirk Fordice. As I have written to Governor Fordice, I have accepted my new position with enthusiasm but also with a

7. 139 CONG. REC. 1092, 103d Cong. 1st Sess.

sense of tremendous gratitude and humility for the trust and confidence that the voters of my district have placed in me over the years. In the many votes I have cast and the many actions I have taken on their behalf, I have always tried to reflect credit on the 2nd Congressional District and on the great State of Mississippi.

It has been the ultimate honor for me to be a part of our country's history by serving in the U.S. House of Representatives. I look forward to continuing to serve my country in my new position and working with you and my former colleagues in Congress.

Sincerely,

MIKE ESPY,  
*Secretary of Agriculture.*

HOUSE OF REPRESENTATIVES  
*Washington, DC, January 21, 1993.*

Hon. KIRK FORDICE,  
*Governor of Mississippi, State Capitol, Jackson, MS.*

DEAR GOVERNOR FORDICE: For the past six years, I have had the privilege of representing the people of the 2nd Congressional District in the Congress of the United States. In the many votes I have cast and the many actions I have taken on their behalf, I have always tried to reflect credit on the 2nd Congressional District and on our great State of Mississippi.

As you are aware, I recently have been nominated by the President of the United States and confirmed by the United States Senate to serve in the President's Cabinet as Secretary of Agriculture. As such, I am requesting and do hereby submit my resignation as United States Congressman effective

upon my taking the oath of office on Friday, January 22, 1993, at approximately 10 a.m. EST.

Although I have accepted the new position with enthusiasm, I leave my House seat with a sense of tremendous gratitude and humility for the trust and confidence that the voters of my district have placed in me over the years.

I assure you and the citizens of Mississippi that I will continue to be an advocate and strong ally for all legitimate needs of the people of Mississippi.

Sincerely,

MIKE ESPY,  
*Member of Congress,  
Secretary of Agriculture-Designate.*

Also on that date,<sup>(8)</sup> the Speaker laid before the House a communication from a Member resigning his seat in the House to become the Director of the Office of Management and Budget.

HOUSE OF REPRESENTATIVES,  
*Washington, DC, January 21, 1993.*

Hon. THOMAS S. FOLEY,  
*The Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Attached is the letter I have sent to the Governor of California notifying him of my resignation from the U.S. House of Representatives effective 6 p.m. today.

Sincerely,

LEON E. PANETTA,  
*Member of Congress.*

HOUSE OF REPRESENTATIVES,  
*Washington, DC, January 21, 1993.*

8. *Id.*

**Ch. 37 §4**      DESCHLER-BROWN-JOHNSON PRECEDENTS

Gov. PETE WILSON,  
*State Capitol, Sacramento, CA.*

DEAR GOVERNOR: Having been nominated by the President, and confirmed by the Senate, as the Director of the Office of Management and Budget, I resign as U.S. Representative of the 17th Congressional District of California effective 6:00 p.m. today.

Sincerely,  
LEON E. PANETTA,  
*Member of Congress.*

On Jan. 21, 1993,<sup>(9)</sup> the Speaker laid before the House a communication from a Member resigning his seat in the House to become the Secretary of Defense.

HOUSE OF REPRESENTATIVES  
*Washington, DC, January 20, 1993.*

Hon. THOMAS S. FOLEY,  
*Speaker, House of Representatives,  
Washington, DC.*

DEAR MR. SPEAKER: For the past 22 years I have had the great honor and privilege of serving the people of Wisconsin as a Member of the U.S. House of Representatives.

On December 22, 1992, President-elect Clinton asked me to become his nominee as Secretary of Defense. Since the Senate has now confirmed my nomination I will be assuming office later today.

Accordingly, I hereby notify you that I have resigned as a Member of the House of Representatives from the State of Wisconsin to assume the office

9. 139 CONG. REC. 423, 103d Cong. 1st Sess.

of Secretary of Defense. Enclosed is a copy of my letter of resignation to Governor Tommy G. Thompson.

I shall always be grateful for the opportunity to serve with you and my colleagues in the House. I look forward to working with you in my new position as Secretary of Defense.

Sincerely,  
LES ASPIN.

On Jan. 24, 1977,<sup>(10)</sup> the Speaker laid before the House a communication from a Member resigning his seat in the House to become the Secretary of Agriculture.

WASHINGTON, D.C.,  
*January 19, 1977.*

Hon. THOMAS P. O'NEILL, JR.,  
*Speaker of the House,  
House of Representatives.*

DEAR MR. SPEAKER: This is to inform you that I have today submitted my letter of resignation as Congressman from the 7th District, State of Minnesota, effective Saturday midnight, January 22, 1977, to the Honorable Rudy Perpich, Governor of the State of Minnesota. A copy of this letter is enclosed.

Thank you.

Sincerely,  
BOB BERGLAND

WASHINGTON, D.C.,  
*January 19, 1977.*

Hon. RUDY PERPICH,  
*The Governor, State Capitol, St.  
Paul, Minn.*

10. 123 CONG. REC. 1907, 95th Cong. 1st Sess.

DEAR GOVERNOR PERPICH: I hereby resign as Congressman from the 7th District, State of Minnesota, effective Saturday midnight, January 22, 1977.

I am sure you know what a privilege and a pleasure it has been for me to serve the State of Minnesota in my several terms in Congress. It is only because of the opportunity to serve directly in the Cabinet of President Carter, that my resignation occurs.

Thank you.

Yours truly,

BOB BERGLAND.

On that same day,<sup>(11)</sup> the Speaker laid before the House a communication from a Member resigning his seat in the House to become the Secretary of Transportation.

WASHINGTON, D.C.,  
January 17, 1977.

Hon. THOMAS P. O'NEILL, Jr.,  
*Speaker, House of Representatives,*  
*Washington, D.C.*

DEAR MR. SPEAKER: I hereby inform you that I have transmitted to the Governor of the State of Washington my resignation as a Representative in the Congress of the United States from the Seventh District of Washington, and am by this letter confirming to you my resignation as a Member of Congress from the State of Washington.

The years I have spent in the House of Representatives will always remain in my memory as some of the happiest of my life. As I leave, I want to extend to you and my colleagues in the House every good wish for the future.

11. *Id.*

I look forward to working with you as the 95th Congress begins.

Very truly yours,

BROCK ADAMS,  
*Member of Congress.*

WASHINGTON, D.C.,  
January 17, 1977.

Hon. DIXY LEE RAY,  
*Governor, State of Washington,*  
*Olympia, Wash.*

DEAR GOVERNOR RAY: I hereby resign my office as Representative in the Congress of the United States from the Seventh District of Washington, said resignation to take effect on January 22, 1977.

Very truly yours,

BROCK ADAMS,  
*Member of Congress.*

### *Service in the Senate*

**§ 4.3 Having been elected to the Senate, a Member of the House advised the Speaker that he had tendered his resignation from the House to the Governor of his State.**

On Jan. 7, 1997,<sup>(1)</sup> the Speaker laid before the House a communication from a Member resigning his seat in the House effective Nov. 27, 1996, to assume the Senate seat to which he had been elected.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, November 26, 1996.*

1. 143 CONG. REC. 188, 105th Cong. 1st Sess.

Hon. NEWT GINGRICH,  
*Speaker of the House of Representatives,*  
*The Capitol, Washington, DC.*

DEAR NEWT: Attached please find a copy of the letter I have sent to Kansas Governor Bill Graves informing him that I am resigning from the House of Representatives effective at 12:00 p.m. central time on Wednesday, November 27th, 1996.

It has been an honor and a privilege to serve with you in the House of Representatives. We enacted reforms during the 104th Congress that has moved this country in the right direction. I look forward to continuing to work with you to balance the federal budget, reduce the size, scope, and intrusiveness of the federal government, and restore the American Dream.

Sincerely,

SAM BROWNBACK,  
*Member of Congress.*

CONGRESS OF THE UNITED STATES,  
 HOUSE OF REPRESENTATIVES,  
 WASHINGTON, DC, NOVEMBER 25, 1996.

Gov. BILL GRAVES,  
*State Capitol, Topeka, KS.*

DEAR GOVERNOR GRAVES: For the past two years, it has been my privilege to serve the people of Kansas' Second District as their elected Representative in the U.S. Congress. It has been an eventful tenure.

These are remarkable times, and public servants have a tremendous opportunity and responsibility for making America a better place.

There is much work to be done, and the people rightly expect that we will

begin it in earnest. Toward that end, I am scheduled to be sworn in as a U.S. Senator for Kansas at 2:00 p.m. central time, Wednesday, November 27, 1996. Accordingly, I am resigning my seat in the U.S. House of Representatives effective at 12:00 p.m. central time, Wednesday, November 27, 1996.

The work of renewing America is unfinished. I see cause for great hope as I believe we are now clearly focused on those very problems which most confound us. There has never been a challenge which the American nation recognized clearly and approached resolutely which we did not overcome. We have cause for great Thanksgiving.

Sincerely,

SAM BROWNBACK.

On Feb. 6, 1996,<sup>(2)</sup> the Speaker laid before the House a communication from a Member resigning his seat in the House effective Feb. 5, 1996, to assume the Senate seat to which he had been elected.

HOUSE OF REPRESENTATIVES,  
*Washington, DC, February 4, 1996.*

Hon. JOHN KITZHABER,  
*Governor of Oregon,*  
*Salem, OR.*

DEAR GOVERNOR KITZHABER: On January 30, 1966, the citizens of Oregon elected me to the U.S. Senate to fill the unexpired term of former Senator Bob Packwood. I am deeply honored to have the opportunity to serve our State in the U.S. Senate, and plan

2. 142 CONG. REC. 2336, 2337, 104th Cong. 2d Sess.



to begin performing those duties on February 5, 1996.

It is my understanding that Oregon's Secretary of State has certified the election and has already transmitted the original documentation of my election to the Secretary of the U.S. Senate.

Based on this understanding, I will resign my House seat representing Oregon's Third Congressional District effective at 8:00 a.m. (E.S.T.), February 5, 1996.

It is with great anticipation that I look forward to working with you in the days to come on a range of issues affecting our state.

Sincerely,

RON WYDEN.

On Nov. 29, 1994,<sup>(3)</sup> the Speaker laid before the House a communication from a Member resigning his seat in the House effective Nov. 15, 1994, to assume the Senate seat to which he had been elected.

HOUSE OF REPRESENTATIVES,  
*Washington, DC, November 15, 1994.*

Hon. TOM FOLEY,  
*Speaker of the House, House of Representatives, Washington, D.C.*

DEAR MR. SPEAKER: Attached is the letter I have sent to the Honorable David L. Walters, Governor of the State of Oklahoma, notifying him of my resignation from the House of Representatives effective today, November 15, 1994 at twelve midnight.

3. 140 CONG. REC. 29585, 103d Cong. 2d Sess.

Sincerely,

JAMES M. INHOFE,  
*Member of Congress.*

Enclosure: letter.

HOUSE OF REPRESENTATIVES,  
*Washington, DC, November 15, 1994.*

Hon. DAVID WALTERS,  
*Governor, State of Oklahoma,  
Oklahoma City, OK.*

DEAR GOVERNOR WALTERS: Pursuant to the November 8, 1994 special election, at which time I was elected to serve the vacancy in the United States Senate created by the resignation of Senator David L. Boren, I hereby submit to you my letter of resignation effective twelve midnight, today, November 15, 1994.

Sincerely,

JAMES M. INHOFE,  
*Member of Congress.*

On Jan. 3, 1989,<sup>(4)</sup> the Clerk<sup>(5)</sup> laid before the House a communication from a Member-elect resigning his seat in the House effective immediately after the commencement of the 101st Congress in order to assume the Senate seat to which he had been appointed.

HOUSE OF REPRESENTATIVES,  
*Washington, DC, December 29, 1988.*

Hon. JIM WRIGHT,  
*Speaker of the House,  
Washington, DC.*

4. 135 CONG. REC. 67, 101st Cong. 1st Sess.

5. Donald K. Anderson (CA).

DEAR MR. SPEAKER: Enclosed for your information and review is my official letter of resignation which will become effective January 3, 1989.

I would like to take this opportunity to thank you for your cooperation while I have represented the citizens of the Fourth Congressional District of Indiana for the past eight years. Although I will miss working with you in the House, I look forward to continue working together as a Member of the Senate.

Sincerely,

DAN COATS,  
*Member of Congress.*

HOUSE OF REPRESENTATIVES,  
*Washington, DC, December 27, 1988.*

Hon. ROBERT D. ORR,  
*Governor, Office of the Governor,  
State House, Indianapolis, IN.*

DEAR GOVERNOR ORR: For the past eight years, I have had the very distinct pleasure of representing the citizens of the Fourth Congressional District of Indiana in the United States House of Representatives. I was honored by my election to a fifth term in the House, and I could think of few things which would keep me from serving in my elected position.

However, your decision to offer me the chance to serve the entire State of Indiana as its Senator-designate requires me to submit to you my resignation from the House of Representatives. This extraordinary opportunity is one that will allow me to continue serving the people of the Fourth Congressional District as well as the rest of the state.

Therefore, I hereby ask you to accept my resignation as the Representative

for the Fourth District of Indiana, effective January 3, 1989, so I may accept the appointment as Indiana's newest Senator.

Sincerely,

DAN COATS,  
*Member of Congress.*

HOUSE OF REPRESENTATIVES,  
*Washington, DC, December 30, 1988.*

Hon. DONNALD K. ANDERSON,  
*Clerk, House of Representatives,  
Capitol Building, Washington, DC.*

DEAR SIR: Please find enclosed a copy of the resignation letter dated December 22, 1988, that I have submitted to Indiana Governor Robert Orr.

The enclosed letter to Governor Orr should be understood to mean that I am resigning from the House of Representatives as a Member of the 101st Congress immediately after 12:00 noon on January 3, 1989, so I may be sworn in as a Senator representing the State of Indiana on the aforementioned date.

Sincerely,

DAN COATS,  
*Member of Congress.*

*Parliamentarian's Note:* Mr. Coats was elected in November 1988 as a Representative in the 101st Congress, commencing Jan. 3, 1989. He took the oath of office but never served, his resignation being effective immediately thereafter. He was sworn later that day as a Senator to fill the vacancy resulting from the resignation from the Senate of J. Danforth Quayle, effective Jan. 3, 1989, in anticipation of being sworn as Vice President on Jan. 20, 1989.

On Jan. 4, 1965,<sup>(6)</sup> the Speaker laid before the House the following communications:

NASHVILLE, TENN.,  
November 4, 1964.

Hon. JOHN McCORMACK,  
*The Speaker, U.S. House of Representatives,*  
Washington, D.C.:

This is to advise that I have submitted my resignation as a Member of the U.S. House of Representatives from the Sixth Congressional District of Tennessee to the Honorable Frank Clement, Governor of Tennessee. This resignation was necessary in order to assume my duties of a Member of the U.S. Senate from Tennessee to which office I have been duly elected. Said resignation is effective at the close of business November 3, 1964.

ROSS BASS.

NASHVILLE, TENN.,  
November 4, 1964.

Hon. JOHN W. McCORMACK,  
*The Speaker, House of Representatives,*  
Washington, D.C.:

This is to advise that I have received the resignation of the Honorable ROSS BASS as a Member of the House of Representatives of the Sixth Congressional District of Tennessee, effective at the close of business November 3, 1964.

FRANK G. CLEMENT,  
*Governor of Tennessee.*

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C.,  
November 4, 1964.

6. 111 CONG. REC. 25, 89th Cong. 1st Sess.

Hon. JOHN W. McCORMACK,  
*Speaker of the House,*  
*House of Representatives,*  
Washington, D.C.:

MY DEAR MR. SPEAKER: I have today submitted my resignation as U.S. Representative to the Governor, Jack M. Campbell, of New Mexico, as follows:

"I wish to submit to you my resignation as U.S. Representative in the Congress from the State of New Mexico, effective midnight, November 3, 1964.

"This is done in view of my election to the U.S. Senate and for the purpose of securing seniority privileges in the Senate which is of paramount importance to our State."

Sincerely,

JOSEPH M. MONTOKA,  
*U.S. Senator*

**§ 4.4 A Member resigned from the House to accept an interim appointment as a Member of the Senate.**

On Jan. 31, 2006,<sup>(1)</sup> the Speaker<sup>(2)</sup> laid before the House a letter from a Member advising of his resignation, accompanied by a copy of the actual letter of resignation that the Member submitted to the State official concerned. The proceedings were as follows:

1. 152 CONG. REC. 400, 109th Cong. 2d Sess.
2. J. Dennis Hastert (IL).

RESIGNATION FROM THE  
HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following resignation from the House of Representatives:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, January 16, 2006.*  
Hon. J. DENNIS HASTERT,  
*Speaker, House of Representatives,*  
*Washington, DC.*

MR. SPEAKER: For the past thirteen years I have had the great honor and privilege of serving the people of New Jersey as a Member of the United States House of Representatives.

As Governor Jon S. Corzine of New Jersey has told me his intention to appoint me to fulfill the remainder of his term in the United States Senate upon his inauguration as Governor, I submit my resignation as a Member from the House of Representatives, effective close of business on Monday, January 16, 2006.

I accept my new position with enthusiasm but also a sense of gratitude for the trust and confidence the voters of the Thirteenth Congressional District have placed in me over the years. I have always tried to reflect credit on the District, the great state of New Jersey, and this body. It has been a distinct pleasure to work and serve with many good friends and colleagues in the House of Representatives.

I look forward to continuing my service to the people of the State of New Jersey through my service as a Member of the United States Senate.

Sincerely,

ROBERT MENENDEZ,  
*Member of Congress.*

ANNOUNCEMENT BY THE  
SPEAKER

The SPEAKER. Under clause 5(d) of rule XX,<sup>(3)</sup> the Chair announces to the House that, in light of the resignation of the gentleman from New Jersey (Mr. MENENDEZ), the whole number of the House is adjusted to 433.

On May 16, 1966,<sup>(4)</sup> the Speaker laid before the House the communication below from Mr. Robert P. Griffin, of Michigan. Mr. Griffin had resigned from the House to accept an appointment to the Senate to fill the vacancy caused by the death of Senator Patrick V. McNamara.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, D.C., May 11, 1966.*

Hon. JOHN W. MCCORMACK,  
*Speaker of the House of Representatives,*  
*Washington, D.C.*

DEAR MR. SPEAKER: I have the duty to inform you that I have transmitted to the Honorable George Romney, Governor of Michigan, my resignation as a Representative in the Congress of the United States from the Ninth District of Michigan, effective at the close of business, May 10, 1966.

I leave the House of Representatives to assume the office of U.S. Senator from Michigan.

With kind personal regards, I am

3. *House Rules and Manual* §1024b (2007).

4. 112 CONG. REC. 10526, 89th Cong. 2d Sess.

Sincerely yours,  
ROBERT P. GRIFFIN.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, D.C., May 11, 1966.*

HON. GEORGE ROMNEY,  
*Governor of Michigan,  
Lansing, Mich.*

DEAR GOVERNOR ROMNEY: I hereby resign my office as Representative in the Congress of the United States from the Ninth District of Michigan, effective at the close of business, May 10, 1966.

With kind personal regards, I am

Sincerely yours,  
ROBERT P. GRIFFIN.

### ***Appointment in the United States Diplomatic Service***

#### **§ 4.5 A Member resigned from the House to accept an appointment as a member of the United States delegation to the United Nations.**

On Sept. 9, 2002,<sup>(1)</sup> the Speaker laid before the House a communication from a Member resigning his seat in the House to become the United States Representative to the United Nations Agencies for Food and Agriculture.

HOUSE OF REPRESENTATIVES,  
*Washington, DC, September 5, 2002.*

Hon. J. DENNIS HASTERT,

1. 148 CONG. REC. 16339, 107th Cong. 2d Sess.

*Speaker of the House,  
Washington, DC.*

DEAR MR. SPEAKER: I have been nominated by President Bush and confirmed by the Senate to serve as United States Representative to the United Nations Agencies for Food and Agriculture, with the rank of Ambassador. Therefore, I have submitted my resignation as Member of the House of Representatives, effective close of business, September 9, 2002. I am forwarding to you a copy of my letter of resignation to Ohio Governor Bob Taft.

I am grateful for the opportunity to serve with the distinguished men and women of the House of Representatives for the past twenty-four years. I look forward to working with the Members of the House as I continue service to the Nation in my new position.

Sincerely,

TONY P. HALL,  
*Member of Congress.*

On Feb. 13, 1997,<sup>(2)</sup> Speaker pro tempore Jack Kingston, of Georgia, laid before the House a communication from a Member resigning his seat in the House to become the United States Ambassador to the United Nations.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, February 13, 1997.*

Hon. NEWT GINGRICH,  
*Capitol, Washington, DC.*

DEAR SPEAKER GINGRICH: I hereby resign my congressional seat effective

2. 143 CONG. REC. 2162, 2163, 105th Cong. 1st Sess.

immediately so that I can assume my post in the President's Cabinet as Ambassador to the United Nations.

It has been an honor to serve in the United States Congress as New Mexico's third district representative for the past 14 years. I have been especially proud to represent the people of New Mexico whose kindnesses towards me and my family have been equaled only by the unmatched beauty of the state itself.

Sincerely,

BILL RICHARDSON,  
*Member of Congress.*

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, February 13, 1997.*

Hon. STEPHANIE GONZALES,  
*Secretary of State, State Capitol,  
Santa Fe, NM.*

DEAR STEPHANIE: I hereby resign my congressional seat effective immediately so that I can assume my post in the President's Cabinet as Ambassador to the United Nations.

It has been an honor to serve in the United States Congress as New Mexico's third district representative for the past 14 years. I have been especially proud to represent the people of New Mexico whose kindnesses towards me and my family have been equaled only by the unmatched beauty of the state itself.

Sincerely,

BILL RICHARDSON,  
*Member of Congress.*

On Sept. 28, 1965,<sup>(3)</sup> the Speaker laid before the House a letter of

3. 111 CONG. REC. 25342, 89th Cong. 1st Sess.

resignation from a Member resigning from the House to accept an appointment as a member of the United States Delegation to the United Nations.

The following communication was read:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, D.C., September 28, 1965.*

DEAR MR. SPEAKER: It is with a considerable degree of sadness that I take this official means of resigning as a Member of the House of Representatives—a Representative from the 26th District of California—effective as of noon, Thursday, September 30, 1965.

I hope it is appropriate for me to add that I can sincerely say I have had the privilege of serving my country not only under the leadership of the great Speaker, Sam Rayburn, but under your speakership, which I regard as probably the most effective and productive sessions in our country's history. You have, in so many ways, given me your support and friendship that I, of course, cannot find a way to adequately express my appreciation and everlasting affectionate respect.

I look forward to my new assignment in a critical area of the world's history with the hope that I can put to use the lessons I have learned during my service in the House. So many Members on both sides of the aisle have made it possible, I hope, for me to have made some contribution, and I take this last opportunity of expressing my warmest thanks to each and every one of my colleagues. I shall hope to visit with you frequently.

With sincere regards and best wishes, as always, I am

Yours sincerely,

JAMES ROOSEVELT.

**§ 4.6 A Member resigned from the House to accept an appointment as the United States ambassador to another nation.**

On Nov. 12, 1997,<sup>(1)</sup> the Speaker pro tempore<sup>(2)</sup> resigned his seat in the House to become the United States Ambassador to Italy. The communication was as follows:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, November 11, 1997.*

HON. NEWT GINGRICH,  
*Speaker of the House, Washington, DC.*

DEAR MR. SPEAKER: This letter is to officially notify you of my resignation as United States Representative to the First District of Pennsylvania. President Clinton has given me the opportunity to continue my lifetime of public service by nominating me to be Ambassador to Italy, the nation of my heritage.

I love this body and leave it with bittersweet emotions—I move onto exciting new challenges but I leave so many good friends and colleagues. I feel so strongly about so many of the people I have served with over the past seventeen years. There is that saying attributable to Harry Truman that if you want a friend in Washington, buy a

dog. For me, nothing can be further from the truth. I have made friends here, on both sides of the aisle, who I will keep and cherish for the rest of my life.

I thank the people of the First District for the opportunity to serve them, this country and this institution. It has been a great honor.

Thank you.

Sincerely,

THOMAS M. FOGLIETTA. . . .

HOUSE OF REPRESENTATIVES,  
*Washington, DC, November 11, 1997.*

Hon. TOM RIDGE,  
*Governor, Commonwealth of Pennsylvania,  
Harrisburg, PA.*

DEAR MR. GOVERNOR: This letter is to officially notify you of my resignation as United States Representative to the First District of Pennsylvania. President Clinton has given me the opportunity to continue my lifetime of public service by nominating me to be Ambassador to Italy, the nation of my heritage.

I thank the people of the First District for the opportunity to serve them, this country and this institution. It has been a great honor.

Thank you.

Sincerely,

THOMAS M. FOGLIETTA.

***Service as Governor or Mayor***

**§ 4.7 A Member has resigned in order to serve as Governor of his State or Mayor of his city.**

1. 143 CONG. REC. 26038, 26572, 105th Cong. 1st Sess.

2. Thomas E. Petri (WI).

On Dec. 8, 2006,<sup>(1)</sup> the Speaker pro tempore<sup>(2)</sup> laid before the House a letter from a Member advising of his resignation, accompanied by a copy of the actual letter of resignation that the Member submitted to the State official concerned. The proceedings were as follows:

RESIGNATION FROM THE  
HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, December 4, 2006.*

Hon. DENNIS HASTERT,  
*Speaker, House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: On November 7, 2006, I received the great privilege of being elected Governor of the State of Nevada. Although Dean Heller was elected and will succeed me as the representative of the Second Congressional District of Nevada, under Nevada law I must formally resign my Congressional office prior to taking office as Governor. I have advised the current Governor of the State of Nevada of such resignation and hereby inform you of my formal resignation as the representative of the Second Congressional District of Nevada to be effective at the close of business on December 31, 2006.

1. 152 CONG. REC. 23201, 109th Cong. 2d Sess.
2. Jo Bonner (AL).

It has been an honor and pleasure representing the Great State of Nevada in Congress over the past 10 years, and I look forward to continuing that service as Governor.

Sincerely,  
JIM GIBBONS,  
*Member of Congress.*

DECEMBER 4, 2006.

Hon. KENNY GUINN,  
*Governor, State of Nevada,*  
*Carson City, NV.*

DEAR GOVERNOR GUINN: On November 7, 2006, I received the great privilege of being elected Governor of the State of Nevada. As you may be aware, under Nevada law I must formally resign my Congressional office prior to taking office as Governor. I have advised the Speaker of the House of such resignation and hereby inform you of my formal resignation as the representative of the 2nd Congressional District of Nevada to be effective at the close of business on December 31, 2006.

It has been an honor and pleasure representing the Great State of Nevada in Congress over the past 10 years, and I look forward to continuing that service as Governor.

Sincerely,  
JIM GIBBONS.

On Dec. 21, 1987,<sup>(3)</sup> the Speaker laid before the House a communication from a Member resigning his seat in the House to become the Governor of Louisiana.

Hon. JIM WRIGHT,

3. 133 CONG. REC. 37624, 100th Cong. 1st Sess.



*The Speaker, House of Representatives,  
Washington, DC.*

DEAR MR. SPEAKER: The enclosed letter has been received in the Clerk's Office regarding the resignation from the House, next March, of the Honorable Buddy Roemer of the Fourth Congressional District of Louisiana.

This letter is transmitted for your information. I will send any further details regarding this expected vacancy whenever they are received by my office.

With great respect, I am,

Sincerely yours,  
DONNALD K. ANDERSON,  
*Clerk, House of Representatives.*

HOUSE OF REPRESENTATIVES,  
*Washington, DC, December 14, 1987.*

Hon. EDWIN W. EDWARDS,  
*Governor, Baton Rouge, LA.*

DEAR GOVERNOR EDWARDS: I hereby resign as United States Representative for the Fourth Congressional District for the State of Louisiana effective March 14, 1988, the day of my inauguration as Governor of the State of Louisiana. Please be advised that it is my intention to continue to serve as a member of the United States Congress until my inauguration on March 14.

Pursuant to Louisiana Revised Statutes 18:1279, I ask that you call a special election to fill my seat as United States Representative and that the primary for such election be set for March 8, 1988. It is my understanding that the State will hold a statewide presidential preference primary election on March 8 and, therefore, that also holding the special election for my congres-

sional seat on that day will result in substantial savings to the state.

Please formally notify the Clerk of the United States House of Representatives of my resignation and its effective date.

Sincerely,  
BUDDY ROEMER,  
*Member of Congress.*

On Jan. 19, 1978,<sup>(4)</sup> the Speaker laid before the House a communication from a Member resigning his seat in the House to become the Mayor of New York.

HOUSE OF REPRESENTATIVES  
*Washington, D.C., December 27, 1977.*

Hon. THOMAS P. O'NEILL Jr.,  
*Speaker, House of Representatives,  
Washington, D.C.*

DEAR MR. SPEAKER: As you know, as a result of my election to the Mayoralty of the City of New York, I must resign my current position as a member of Congress in the 18th Congressional District of the State of New York. This letter of resignation is to be effective as of the close of December 31, 1977. I would appreciate your taking whatever steps are required to note the resignation as of that date.

All the best.

Sincerely,  
*Edward I. Koch.*

NEW YORK, N.Y.  
*December 13, 1977.*

Hon. MARIO M. CUOMO,

4. 124 CONG. REC. 107, 95th Cong. 2d Sess.

*Secretary of State, State of New York,  
New York, N.Y.*

DEAR MR. SECRETARY: As you know, as a result of my election to the Mayoralty of the City of New York, I must resign my current position as a member of Congress in the 18th Congressional District of the State of New York. This letter of resignation is to be effective as of the close of December 31, 1977. I would appreciate your taking whatever steps are required to note the resignation as of that date and to commence the process for filling that seat.

All the best.

Sincerely,

*Edward I. Koch.*

### ***Judicial Appointment***

#### **§ 4.8 A Member informed the Speaker by letter that he had transmitted his resignation to his State Governor in order to assume the duties of a Federal judge in his State.**

On May 23, 1985,<sup>(1)</sup> the Speaker laid before the House a communication from a Member resigning his seat in the House to accept an appointment as a Federal judge.

HOUSE OF REPRESENTATIVES  
*Washington, DC, May 23, 1985.*

Hon. THOMAS P. O'NEILL, Jr.,  
*Speaker, House of Representatives,  
H-204,*

1. 131 CONG. REC. 13421, 99th Cong. 1st Sess.

*The Capitol, Washington, DC.*

DEAR MR. SPEAKER: By this letter, I submit my resignation as a member of the U.S. House of Representatives effective Monday, May 27th, 1985. As you know, this resignation is necessitated by my appointment to serve as a United States District Judge for the Eastern District of Texas.

Membership in the U.S. House of Representatives is among the highest honors that can come to an individual in our democratic system, and it is made all the more rewarding because of the opportunity to serve with elected officials like yourself who love and defend our great country. I shall always cherish this friendship and association.

I want to thank you for all of the courtesies that you have extended to me and my office. I hope to have the opportunity to welcome you to East Texas in the future. It would be a privilege.

Sincerely,

SAM B. HALL, Jr.

HOUSE OF REPRESENTATIVES,  
*Washington, DC, May 23, 1985.*

Hon. MARK WHITE,  
*Governor of Texas, Capitol Station,  
Austin, TX.*

DEAR GOVERNOR: As the enclosed indicates, I am resigning my seat in the U.S. House of Representatives effective May 27, 1985.

I am also submitting my resignation to you, and in so doing, I want to commend you and your entire staff for the tremendous cooperation and assistance you have given me during your tenure as our Governor. The liaison between our offices has been exemplary.

In closing I would like to respectfully urge you to set a date for a special election in the First Congressional District to fill the unexpired term as soon as possible. The citizens of East Texas are deserving of representation as soon as practicable, and I am hopeful that we can have a replacement in this seat very soon.

Again, thank you for your friendship and many courtesies.

Sincerely yours,  
SAM B. HALL, Jr.

On Sept. 27, 1979,<sup>(2)</sup> the Speaker laid before the House a communication from a Member resigning his seat in the House to accept an appointment as a Federal judge.

WASHINGTON, D.C.,  
September 26, 1979.

Hon. THOMAS P. O'NEILL, Jr.,  
*Speaker of the House.*

DEAR MR. SPEAKER: I hereby tender my resignation as Representative in Congress from the 10th Congressional District, Illinois, effective 5:00 p.m., September 26, 1979. I am enclosing a copy of the wire to that effect that I have sent to Governor James Thompson of Illinois. I respectfully request that it be spread upon the records of the House.

The years that I have spent as a Member of this great body have been the most fulfilling and exciting years of my life. While I look forward to my new tasks as a Judge in the U.S. Court of Appeals for the District of Columbia,

2. 125 CONG. REC. 26503, 26504, 96th Cong. 1st Sess.

I will always treasure those special associations with the very special people who make up the United States House of Representatives. Thank you, Mr. Speaker.

Sincerely,  
ABNER J. MIKVA.

WASHINGTON, D.C.,  
September 26, 1979.

Hon. JAMES THOMPSON,  
*Governor of Illinois,  
State House No. 207,  
Springfield, Ill.*

I hereby tender my resignation as Representative in Congress from the 10th Congressional District, Illinois, effective 6:00 p.m. (Eastern Daylight Time), September 26, 1979. Serving in this office has been the highest privilege that can be given to any citizen. I will always treasure it.

ABNER J. MIKVA.

On Jan. 31, 1966,<sup>(3)</sup> the Speaker laid before the House the resignation of a Member who resigned from the House to accept an appointment as a Federal judge:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, D.C., January 27, 1966.*

Hon. JOHN W. MCCORMACK,  
*Speaker of the House of Representatives,  
Washington, D.C.*

MY DEAR MR. SPEAKER: I have the solemn duty to inform you that I have this day transmitted to the Honorable

3. 112 CONG. REC. 1562, 1563, 89th Cong. 2d. Sess.

Orval E. Faubus, Governor of Arkansas, my resignation as a Representative in the Congress of the United States from the Fourth District of Arkansas, effective at the close of business February 2, 1966.

Although I look forward to assuming a new status in life as Federal judge of the Eastern and Western Districts of Arkansas, it is with deep feeling that I leave the House of Representatives. I am grateful for the privilege of the association during my years in this great institution. It has been a rich and rewarding experience for Mrs. Harris and for me, which we shall always cherish.

May the providence of God sustain you and every Member throughout the years ahead.

Humbly and gratefully, I remain always

Sincerely yours,  
OREN HARRIS,  
*Member of Congress.*

Enclosure.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, D.C., January 27, 1966.*

Hon. ORVAL E. FAUBUS,  
*Governor, State of Arkansas,  
Little Rock, Ark.*

MY DEAR GOVERNOR: It is with mixed feelings and a sense of pride that I hereby tender to you my resignation as a Member of the House of Representatives in the Congress of the United States from the Fourth District of Arkansas, effective at the close of business February 2, 1966. This is pursuant to our understanding when I vis-

ited with you in the hospital in Little Rock, December 21, 1965.

As you are aware, I will become U.S. district judge for the Eastern and Western Districts of Arkansas at 11 a.m. Thursday, February 3, in my hometown, El Dorado, Ark.

I am humbly grateful for the special honor and privilege of having served our State and district in the Congress for these 25 years and 1 month. It has been a joy to me and my family to have had the association during these years, which we shall ever cherish.

I want to thank you for the courtesies you have always extended to me, as well as the cooperation in our efforts to serve the people of our State of Arkansas.

With genuine respect and esteem, I am

Sincerely yours,  
OREN HARRIS,  
*Member of Congress.*

**§ 4.9 A Member of the House resigned to accept an appointment to the supreme court of his State.**

On Jan. 7, 1997,<sup>(1)</sup> the following letter of resignation was laid before the House from a Member resigning his seat in the House effective Jan. 1, 1997, to take a seat on the Supreme Court of Arkansas.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, November 14, 1996.*

1. 143 CONG. REC. 189, 105th Cong. 1st Sess.

Hon. NEWT GINGRICH,  
*Speaker, U.S. House of Representatives,  
The Capitol, Washington,  
DC.*

DEAR MR. SPEAKER: Enclosed herewith please find a copy of my letter of resignation as a Member of Congress, effective at noon on January 1, 1997 which I have tendered to the appropriate Arkansas State Authority.

Best personal regards,  
RAY THORNTON.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, November 19, 1996.*

Hon. SHARON PRIEST,  
*Secretary of State, The Capitol, Little  
Rock, AR.*

DEAR MADAM SECRETARY: Pursuant to the results of the general election of November 5, 1996, I will be taking office as an Associate Justice of the Arkansas Supreme Court on January 1, 1997. I therefore hereby submit my resignation as Arkansas second district Representative in the United States Congress to you effective at noon on January 1, 1997. Until that time I will continue to carry out my duties as your Congressman.

Best personal regards,  
RAY THORNTON.

On Sept. 8, 1969,<sup>(2)</sup> a Member resigned from the House to accept an appointment as Associate Justice of the Supreme Court of New Jersey.

SEPTEMBER 4, 1969.

2. 115 CONG. REC. 24634, 91st Cong. 1st Sess.

Hon. JOHN W. MCCORMACK,  
*Speaker, House of Representatives,  
Room H206, Capitol.*

DEAR MR. SPEAKER: This will inform you that I have this day transmitted to the Governor of the State of New Jersey my resignation as a Representative in the Congress of the United States from the 8th District of New Jersey.

I am deeply grateful for your many courtesies.

Sincerely,  
CHARLES S. JOELSON,  
*Member of Congress.*

### ***Change of Party Affiliation***

**§ 4.10 A Member who had changed his party affiliation resigned his seat to stand for election in a special election as a member of his new political party.**

On Jan. 6, 1983,<sup>(1)</sup> Speaker pro tempore James C. Wright, Jr., of Texas, laid before the House a communication from a Member resigning his seat in the House, as follows:

HOUSE OF REPRESENTATIVES,  
*Washington, D.C., January 5, 1983.*

Hon. THOMAS P. O'NEILL, Jr.,  
*Speaker, House of Representatives,  
Washington, D.C.*

DEAR MR. SPEAKER: I herewith tender my resignation as a member of the

1. 129 CONG. REC. 114, 98th Cong. 1st Sess.

98th Congress, to take effect at the close of business today, the 5th of January, 1983.

I have this day, by separate letter, officially notified the Governor of Texas of my resignation.

Yours most respectfully,

WILLIAM PHILIP GRAMM,  
*Member of Congress,  
Sixth District, Texas.*

*Parliamentarian's Note:* Mr. Gramm had been elected to the 98th Congress as a Democrat and was sworn in as a Democrat. Having changed his party affiliation to Republican, he resigned the seat to which his constituents had elected him as a member of one party in order to stand for reelection as a member of the other party.

### ***Contested Seat***

#### **§ 4.11 A Member resigned a contested seat.**

On May 4, 1977,<sup>(1)</sup> the Speaker laid before the House a communication from a Member resigning his contested seat in the House unconditionally.

WASHINGTON, D.C., *May 4, 1977.*

Hon. THOMAS P. O'NEILL, Jr.,  
*Speaker of the House, Washington,  
D.C.*

DEAR MR. SPEAKER: Enclosed please find my letter of resignation addressed

1. 123 CONG. REC. 13391, 95th Cong. 1st Sess.

this day to the Honorable Edwin W. Edwards, the Governor of the State of Louisiana.

My short stay in the House has been the most rewarding experience of my life. I am tremendously impressed by the integrity and industry of its members. I have made friends whom I will never forget.

Keep my seat warm and tell my colleagues not to forget me because I am running again and will win again.

With kindest personal regards, I am,

Sincerely,

RICHARD A. TONRY.

HOUSE OF REPRESENTATIVES,  
*Washington, D.C., May 4, 1977.*

Hon. EDWIN W. EDWARDS,  
*Governor, State Capitol,  
Baton Rouge, La.*

DEAR GOVERNOR EDWARDS: This is perhaps the hardest letter I have ever had to write.

I am sure you are familiar with the continuing controversy that has surrounded my election to Congress. My own personal investigation and that of the House Committee has convinced me that there were fraudulent and illegal votes cast in my favor and in favor of my opponent. I sincerely believe and have always felt that if all the fraudulent and illegal votes were subtracted from the total I would still be declared the winner.

However, what I believe is not important. What must be protected is our beloved Louisiana and this Nation. That fraudulent votes were cast at all is deplorable. This democracy must be protected and the people of the First Congressional District must rest with

the assurance that their Congressman has been elected by a majority of the people.

I have enjoyed nothing as much as serving my people in Congress. I know I have been a good Congressman.

But the divisiveness must be cured and the will of the people in the First Congressional District must be definitively recognized.

For these reasons, I hereby tender my resignation as the United States Representative for the First Congressional district.

I respectfully request that you call a new election as soon as possible so that the people of my district will not be without representation for any significant length of time.

Sincerely,

RICHARD A. TONRY.

### ***Criminal Conviction***

#### **§ 4.12 A Member resigned from the House after having been convicted of fraud under 18 USC §§ 80 and 88 and having received a jail sentence.**

On Jan. 3, 1950,<sup>(1)</sup> the Speaker laid before the House the resignation of a Member who was convicted of fraud after the first session of the 81st Congress and who resigned the day before the second session met.<sup>(2)</sup>

WASHINGTON, D.C., *December 9, 1949.*

1. 96 CONG. REC. 8, 81st Cong. 2d Sess.
2. Effect of criminal conviction generally, see Chs. 7, 12, *supra*.

Hon. SAM RAYBURN,  
*Speaker, House of Representatives,*  
*United States.*

SIR: I beg leave to inform you that I have this day transmitted to the Governor of New Jersey my resignation as a Representative in the Congress of the United States from the Seventh District of New Jersey, such resignation to take effect on the 2d day of January 1950.

J. PARNELL THOMAS.

### ***Senate Resignation to Permit Governor to Fill Vacancy***

#### **§ 4.13 A Member of the Senate resigned shortly before the expiration of his term to permit the Governor of his State to fill the vacancy created thereby.**

In the Senate, on Dec. 31, 1970,<sup>(1)</sup> the acting President pro tempore, James B. Allen, of Alabama, laid before the Senate the following letter and telegram, relating to the resignation of the Senator from Delaware:

U.S. SENATE,  
*Washington, D.C., December 31, 1970.*  
The PRESIDENT OF THE U.S. SENATE,  
*Washington, D.C.*  
Attention Mr. Francis R. Valeo, Secretary of the Senate.

MY DEAR MR. VICE PRESIDENT: I am hereby resigning as United States Senator from Delaware effective midnight December 31, 1970.

1. 116 CONG. REC. 44358, 91st Cong. 2d Sess.

Ch. 37 §4 DESCHLER-BROWN-JOHNSON PRECEDENTS

Governor Russell W. Peterson, of Delaware, has been officially notified of this resignation by telegram, a copy of which is enclosed.

Yours sincerely,  
JOHN J. WILLIAMS.

Enclosure.

Gov. RUSSELL W. PETERSON,  
*State House,*  
*Dover, Del.:*

DECEMBER 31, 1970.

This is to inform you that I am resigning as United States Senator effective midnight December 31, 1970, in order to permit the appointment of William V. Roth, Jr., to fill my unexpired term ending noon January 3, 1971.

JOHN J. WILLIAMS,  
*United States Senator.*

In the House, on the same day,<sup>(2)</sup> the Speaker laid before the House a letter of resignation from Rep. Roth, who had been appointed to fill the vacancy in the Senate caused by the resignation of Senator Williams, whose term of office was about to expire.

DECEMBER 31, 1970.

Hon. JOHN W. McCORMACK,  
*Speaker, U.S. House of Representatives,*  
*Washington, D.C.*

DEAR MR. SPEAKER: I hereby submit my resignation as the Representative-at-Large from the State of Delaware in the United States House of Representatives, effective midnight, December 31, 1970.

2. *Id.* at p. 44304.

Sincerely,  
WILLIAM V. ROTH, Jr.<sup>(3)</sup>

*Parliamentarian's Note:* Mr. Roth had been elected to Senator Williams' seat for the next Congress. By resigning three days before the expiration of his term, Senator Williams enabled the Governor to appoint Mr. Roth to fulfill the unexpired portion of his term. This gave Senator-elect Roth a three-day advantage in seniority over the other newly elected Senators.

On Jan. 3, 1953,<sup>(4)</sup> the Vice President<sup>(5)</sup> addressed the Senate as follows:

The Chair lays before the Senate two letters of resignation from the United States Senate—an almost unheard-of proceeding. The Secretary will read the letters.

The legislative clerk (Edward E. Mansur, Jr.) read, as follows:

UNITED STATES SENATE,  
COMMITTEE ON LABOR AND PUBLIC  
WELFARE,  
*November 25, 1952.*

The Honorable the VICE PRESIDENT  
OF THE UNITED STATES,  
*United States Senate,*  
*Washington, D. C.*

- 3. See also §5.9, *infra*, for another instance where a resignation from the Senate was timed to correspond with a resignation from the House, where the House Member had been appointed to fill the Senate vacancy.
- 4. 99 CONG. REC. 3, 83d Cong. 1st Sess.
- 5. Alben W. Barkley (KY).



DEAR MR. VICE PRESIDENT: I am enclosing a copy of my letter of resignation from the United States Senate which, as you will note, is effective at the close of business January 1, 1953.

With very best regards,

Sincerely,

RICHARD NIXON.

UNITED STATES SENATE,  
COMMITTEE ON LABOR AND PUBLIC  
WELFARE,  
*November 8, 1952.*

The Honorable EARL WARREN,  
*Governor of California,  
Sacramento, Calif.*

DEAR GOVERNOR WARREN: I herewith tender my resignation as United States Senator from California, effective at the close of business January 1, 1953. This will enable our newly appointed Senator from California to obtain the same advantages of seniority which I received when you appointed me to the Senate upon Senator Downey's resignation in 1950.

With all good wishes,

Sincerely,

RICHARD NIXON.

UNITED STATES SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
*December 23, 1952.*

Hon. ALBEN W. BARKLEY,  
*Vice President of the United States,  
Washington, D. C.*

DEAR MR. PRESIDENT: I enclose copy of communication to the Governor of Maine notifying him of my resignation as United States Senator as of December 31, 1952.

Respectfully,

OWEN BREWSTER,  
*United States Senator.*

*December 23, 1952.*

Hon. FREDERICK G. PAYNE,  
*Governor of Maine,  
State House, Augusta, Maine.*

MY DEAR GOVERNOR: Will you please accept my resignation as United States Senator from Maine effective at the close of business on December 31, 1952, for reasons stated in my letter of December 19, 1952, to the Secretary of State of the State of Maine.

Copy of this communication is also going to the Vice President of the United States.

Respectfully,

OWEN BREWSTER,  
*United States Senator.*

The VICE PRESIDENT. No action is required on these letters of resignation, but they will be placed on file.

**§ 4.14 A Senator who had been elected to a full six-year term, by a "write-in" vote following the death of his predecessor at a time too late in 1954 for a new nominating primary, resigned to permit nomination of candidates for the office in the next regular primary election. He also announced his own candidacy for the unexpired term (four years).**

On the legislative day of Mar. 26, 1956,<sup>(1)</sup> the President pro tempore of the Senate<sup>(2)</sup> laid before the Senate the letters of resignation of Senator J. Strom Thurmond, of South Carolina.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Senator from South Carolina [Mr. THURMOND] enclosing a copy of a letter addressed to the governor of that State, tendering his resignation as a Senator, effective on April 4, 1956, which, with the accompanying letter, will be printed in the RECORD and placed on file.

The letters are as follows:

UNITED STATES SENATE,  
*Washington, D.C., March 23, 1956.*

Hon. RICHARD M. NIXON,  
*Vice President of the United States,  
United States Senate,  
Washington, D. C.*

DEAR MR. PRESIDENT: This is to inform you officially of my resignation as a Senator from South Carolina, effective April 4, 1956.

Enclosed herewith is a copy of a letter I submitted to the Honorable George Bell Timmerman, Jr., Governor of South Carolina, on March 3, 1956, in which I stated my reason for resigning. The Governor accepted my resignation, effective April 4, the same day I submitted it to him. This is for the purpose of making the official records clear as to my action.

1. 102 CONG. REC. 5617, 84th Cong. 2d Sess., Mar. 27, 1956 (calendar day).
2. Walter F. George (GA).

Sincerely yours,  
STROM THURMOND,  
*United States Senator from South  
Carolina.*

UNITED STATES SENATE,  
*Washington, D.C., March 3, 1956.*

HON. GEORGE BELL TIMMERMAN, Jr.,  
*Governor of South Carolina,  
The State House, Columbia, S. C.*

DEAR GOVERNOR TIMMERMAN: In keeping with the pledge which I made to the people of South Carolina during the 1954 campaign, and in order that the State Democratic Convention can place the office in this summer's primary, I hereby resign as United States Senator effective on and as of April 4, 1956, and I respectfully request that you accept this resignation effective on that date.

Sincerely yours,  
STROM THURMOND.

Senator Thurmond, who had been elected to a full six-year term by a "write-in" vote following the death of his predecessor<sup>(3)</sup> two months before the general election, announced his resignation in order that he might be a candidate in his party's next regular primary election, competing with other candidates for the opportunity to be the party's candidate in the November general election for the remainder of the unexpired term.<sup>(4)</sup> The explanation as

3. Burnet R. Maybank died Sept. 1, 1954.
4. 102 CONG. REC. 3991, 84th Cong. 2d Sess., Mar. 6, 1956.

to why Senator Thurmond would resign his seat in the Senate only to run for the same office was made on Mar. 6, 1956,<sup>(5)</sup> when he addressed the Senate relative to his resignation therefrom and received unanimous consent to have his remarks extended in the *Congressional Record*.

Mr. THURMOND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD the text of an announcement I made in Columbia, S.C., the capital of my State, on March 3, 1956.

The announcement explains a promise I made to the people of South Carolina in the fall of 1954, when I entered the campaign for election to the Senate. It also explains why I have submitted my resignation to the Governor of South Carolina and will give up my Senate seat on April 4, in spite of the fact that more than 4 years remain of the 6-year term to which I was elected.

In the Democratic primary in South Carolina on June 12, I will be a candidate for the nomination of my party to enter the November general election to seek the approval of the voters of my State to succeed myself in the Senate, for the remainder of my term.

Although the press has published my reasons for taking this action, I believe it appropriate that I should present this explanation to my distinguished colleagues.

There being no objection, Mr. Thurmond's announcement was ordered to be printed in the RECORD, as follows:

5. *Id.*

NEWS STATEMENT BY SENATOR STROM THURMOND, OF SOUTH CAROLINA, IN COLUMBIA, S.C., MARCH 3, 1956, ANNOUNCING HIS RESIGNATION FROM THE UNITED STATES SENATE

The untimely death of Senator Burnet R. Maybank came on September 1, 1954, just over 2 months before the General Election on November 2 of that year. Senator Maybank had been renominated in the Democratic primary without opposition.

If a special Democratic primary had been held to nominate a successor to Senator Maybank, the voters in that primary would have been bound by South Carolina law and by oath under State Democratic Party rules to support the nominee. A special primary was not held. Therefore, the Democrats of South Carolina were free to vote for the person of their choice for the full 6-year term in the 1954 general election.

Democrats in every county called on me to lead a write-in campaign as their candidate for the Senate. The view of many political observers was that such a campaign would be hopeless because of the difficulties of write-in balloting.

I believe the people themselves had a right to vote for a candidate of their choice to fill an office, especially since the term of office was for 6 years. I agreed to become a Democratic write-in candidate for the Senate seat left vacant for the term beginning in January 1955.

In the 1954 campaign I stated:

"This is a fight for principle. \* \* \* To make the principle at stake crystal clear, I pledge to the people of South Carolina that if I am elected in the general election on November 2, I will tender my resignation in 1956 in sufficient time to let the Democrats of South Carolina nominate a United States Senator in the regular Democratic primary election

that year, which is the earliest regular primary to be held.”

On March 21 the State Democratic Convention will be held. One of its functions is to provide for a primary to nominate Democrats for the various offices which will be filled by the voters in November in the general election. Candidates who enter the primary must qualify between noon on March 22 and noon on April 5.

The time has come for me to fulfill my promise to the people of South Carolina.

I have tried to choose a course that will be as crystal clear as the principle I upheld in the 1954 campaign.

Today I have delivered my letter of resignation to Governor Timmerman.

The text of the letter states:

“In keeping with the pledge which I made to the people of South Carolina during the 1954 campaign, and in order that the State Democratic convention can place the office in this summer’s primary, I hereby resign as United States Senator effective on and as of April 4, 1956, and I respectfully request that you accept this resignation effective on that date.”

The State convention can provide for a primary to nominate a candidate for the remaining 4 years of the 6-year term to which I was elected. The Democrats of South Carolina can have the opportunity of nominating the person of their choice on June 12. Any person who desires to enter the primary as a candidate has sufficient notice.

I shall be a candidate for nomination in the primary to succeed myself in the Senate.

My resignation was made effective April 4, the day before the closing of the books for qualification and before the campaign opens. Because of the unprecedented circumstances of the 1954 senatorial election, I would not want to have any advantage which

might result from my holding office during this primary campaign.

My resignation will guarantee a free and open primary election for South Carolina Democrats. I believe the course I have taken in resigning, and in making this announcement a month before the effective date, fulfills to the utmost the pledge I made to the people in 1954.

The trust reposed in me by the people has been deeply appreciated, and I have tried at all times to reward this trust by exerting my best efforts on behalf of the State and the Nation.

### *Addressing the House*

#### **§ 4.15 A resigning Member may, by unanimous consent, address the House to explain the reasons for his resignation.**

On Sept. 23, 1943,<sup>(1)</sup> the Speaker laid before the House the following communication:

SEPTEMBER 20, 1943.

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

DEAR MR. SPEAKER: This is to inform you that I have submitted my resignation as a Member of Congress from the Twenty-third Congressional District of Pennsylvania to Gov. Edward W. Martin, effective 6 p. m., September 24, 1943.

I wish to express my sincere appreciation for the many courtesies you have extended me.

1. 89 CONG. REC. 7779, 78th Cong. 1st Sess.

Very sincerely,  
JAMES E. VAN ZANDT.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it, is so ordered.

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I have submitted my resignation as a Member of Congress effective 6 p.m., tomorrow, September 24. My resignation is the result of my intense desire to serve my country in the armed forces as a member of the United States Navy.

I am grateful to you, Mr. Speaker, and to my colleagues for the many courtesies shown me during the past five years. I shall think often of you and the multitude of important issues you will be called upon to decide. Believe me when I tell you it has been a distinct honor to serve in this distinguished body, the Congress of the United States; yet I feel it is an equal honor to be blessed with good health and able to serve in the armed forces.

Naturally it shall be my ambition, when the war clouds have been dispersed, to return to Congress, richer in experience and with a broader outlook.

Until we meet again, good luck and godspeed to all of you.

## § 5. Conditional Resignations; Timing

One may resign as a Member of the House at any time, even before taking the oath.<sup>(1)</sup> A resigna-

1. 2 Hinds' Precedents §§ 1230 *et seq.*

tion may be made contingent on another factor<sup>(2)</sup> and may designate a future date on which it is to become effective.<sup>(3)</sup>

In some instances of the resignation of a Member in order for the Member to accept a position in the Executive branch, the Member's resignation was not laid before the House until after the Member's being sworn as an official of the Executive branch, although the resignation was submitted before the swearing.<sup>(4)</sup>

### *Effective on Future Date*

**§ 5.1 It has been possible for a Representative to resign a seat in the House prospectively, specifying an effective date in the future.<sup>(1)</sup>**

A prospective resignation might enable the State concerned prospectively to take cognizance of the vacancy as a constitutional predicate for the issuance by the executive authority of the State of a writ of election to fill the vacancy.<sup>(2)</sup>

2. See §§ 5.4 *et seq.*

3. See §§ 5.1, 5.7, *infra.*

4. See § 5.11, *infra.*

1. It has been possible even to resign effective on the election of a successor. See, for example, § 5.6, *infra.*

2. For an instance in which the executive authority of a State declined to