

107TH CONGRESS  
2D SESSION

# H. RES. 559

Expressing the sense of the House of Representatives that each State should examine its existing statutes, practices, and procedures governing special elections so that, in the event of a catastrophe, vacancies in the House of Representatives may be filled in a timely fashion.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 2002

Mr. COX (for himself, Mr. FROST, Mr. DREIER, Mr. CHABOT, Mr. NEY, Mr. HOYER, Mr. BAIRD, Mr. VITTER, Ms. JACKSON-LEE of Texas, Mr. LANGEVIN, Mr. NADLER, Mr. BALLENGER, Mr. BEREUTER, Mr. CAMP, Mr. COBLE, Mr. CRENSHAW, Mrs. CUBIN, Mr. CULBERSON, Mr. TOM DAVIS of Virginia, Mr. DELAY, Mr. DEMINT, Mr. DIAZ-BALART, Mr. DOOLITTLE, Mr. EHLERS, Mr. FLAKE, Mr. FLETCHER, Mr. GIBBONS, Mr. GILCHREST, Mr. GILMAN, Mr. GOSS, Mr. GREEN of Wisconsin, Mr. GREENWOOD, Mr. HAYES, Mr. HOEKSTRA, Mr. HULSHOF, Mr. HYDE, Mr. ISSA, Mr. JENKINS, Mr. JOHNSON of Illinois, Mr. JONES of North Carolina, Mrs. KELLY, Mr. KERNS, Mr. KNOLLENBERG, Mr. LAHOOD, Mr. LATOURETTE, Mr. LEWIS of Kentucky, Mr. LOBIONDO, Mr. MCHUGH, Mr. MCINNIS, Mr. MCKEON, Mrs. MYRICK, Mr. PETERSON of Pennsylvania, Mr. PLATTS, Mr. PORTMAN, Ms. PRYCE of Ohio, Mr. ROHRABACHER, Mr. RYAN of Wisconsin, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHADEGG, Mr. SHAYS, Mr. SHAW, Mr. SHIMKUS, Mr. SIMMONS, Mr. SMITH of Michigan, Mr. STEARNS, Mr. TANCREDO, Mr. TERRY, Mr. TOOMEY, Mr. WATTS of Oklahoma, Mr. WELDON of Florida, Mr. WELLER, Mr. WICKER, Mr. WILSON of South Carolina, Mrs. CHRISTENSEN, Mr. DAVIS of Florida, Mr. DELAHUNT, Ms. DELAURO, Mr. EDWARDS, Mr. FATTAH, Mr. GEPHARDT, Mr. GONZALEZ, Mr. GREEN of Texas, Mr. HALL of Texas, Mr. HASTINGS of Florida, Mr. HONDA, Mr. ISRAEL, Ms. KAPTUR, Mr. LIPINSKI, Mr. JEFFERSON, Mrs. JONES of Ohio, Mr. LEWIS of Georgia, Mr. LYNCH, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MENENDEZ, Mr. REYES, Mr. RODRIGUEZ, Mr. SANDLIN, Mr. SCHIFF, Mr. SHERMAN, Ms. SLAUGHTER, Mr. SNYDER, Mr. STENHOLM, Mr. WYNN, Mr. GOODE, Mr. HEFLEY, Mr. HOEFFEL, and Mr. JACKSON of Illinois) submitted the following resolution; which was referred to the Committee on House Administration

# RESOLUTION

Expressing the sense of the House of Representatives that each State should examine its existing statutes, practices, and procedures governing special elections so that, in the event of a catastrophe, vacancies in the House of Representatives may be filled in a timely fashion.

Whereas the death or disability of hundreds of Members of Congress would deprive millions of Americans of representation in Congress, possibly for a period of months until special elections to fill the vacancies could be conducted;

Whereas such a catastrophe would severely impair the functioning of the House and effectively disrupt the legislative branch for an extended period;

Whereas the only method prescribed by the Constitution to fill a vacant seat in the House of Representatives is through election by the people;

Whereas article I, section 4 of the Constitution of the United States provides that “The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the places of choosing Senators.”;

Whereas section 26 of the Revised Statutes of the United States (2 U.S.C. 8) provides that “The time for holding elections in any State, District or Territory for a Representative or Delegate to fill a vacancy, whether such vacancy is caused by a failure to elect at the time prescribed by law, or by the death, resignation, or incapacity

of a person elected, may be prescribed by the laws of the several States and Territories respectively;” and

Whereas it is in the interest of each State to ensure that the people maintain their full rights to representation in the House: Now therefore, be it

1       *Resolved*, That—

2               (1) it is the sense of the House of Representa-  
3       tives that each State should examine its existing  
4       statutes, practices, and procedures governing special  
5       elections so that, in the event of a catastrophe, va-  
6       cancies in the House of Representatives may be  
7       filled in a timely fashion; and

8               (2) the Clerk of the House shall send a copy of  
9       this resolution to the chief executive official of each  
10      State.

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