

Amen.

§ 17. The Chief Administrative Officer

The Chief Administrative Officer (CAO) is an elected officer of the House. The position was created at the beginning of the 104th Congress, replacing a similar, non-elective position known as the Director of Non-Legislative and Financial Services.⁽¹⁾ As indicated by the position's title, the CAO is primarily an administrative position, and, pursuant to clause 4(a) of rule II,⁽²⁾ is responsible for "operational and financial functions of the House" as assigned by the Committee on House Administration.⁽³⁾ The duties of the CAO encompass a variety of managerial tasks, including: administering payroll and benefits for Members and employees of the House; providing furniture and equipment for offices; acquiring goods and services; managing information technology; supervising the media galleries for coverage of House proceedings; and overseeing the House Recording Studio. The CAO is "subject to the policy direction and oversight of the Committee on House Administration."⁽⁴⁾

Pursuant to clause 4(b) of rule II,⁽⁵⁾ the CAO is required to submit semi-annual reports to the Committee on House Administration regarding the "financial and operational status" of each function that falls within the CAO's jurisdiction. Administrative and financial records of House offices are reviewed and audited by the CAO pursuant to clause 4(c) of rule II.⁽⁶⁾ Further, clause 4(d) of rule II⁽⁷⁾ authorizes the CAO to deduct certain fines levied by the Sergeant-at-Arms from the salary of Members.

1. *House Rules and Manual* § 664 (2019). Prior to the creation of the Office of the CAO, administrative duties of the House were undertaken by variety of different officers at different times in the House's history. The new office consolidated various functions previously performed by the Clerk, Sergeant-at-Arms, Postmaster, or Doorkeeper. For more on these positions see §§ 13–16, *supra*.
2. *House Rules and Manual* § 661 (2019).
3. *Id.*
4. The "policy direction" facet of the rule was eliminated in the 107th Congress, but reinstated in the 114th Congress. See *House Rules and Manual* § 661 (2019).
5. *House Rules and Manual* § 662 (2019).
6. *House Rules and Manual* § 663 (2019).
7. *House Rules and Manual* § 663a (2019). Under clause 3(g) of rule II, the Sergeant-at-Arms is authorized to levy fines against Members who use electronic devices on the House floor for improper audio or visual recording or broadcasting of House proceedings. See *House Rules and Manual* § 660a (2019). For more on this authority, see § 16, *supra*.

The CAO is elected on opening day of a new Congress via the resolution electing all of the officers of the House.⁽⁸⁾ As an officer of the House, the CAO takes the oath of office⁽⁹⁾ upon election.⁽¹⁰⁾ In the case of a vacancy in the Office of the CAO (due to the death, removal, or resignation of the individual holding the office), the Speaker is authorized by statute⁽¹¹⁾ to appoint a temporary replacement.⁽¹²⁾ In one instance, the House created a vacancy in the Office of the CAO on opening day of the 105th Congress by adopting a resolution electing officers of the House but not naming an individual to the position of CAO.⁽¹³⁾ The CAO may be removed from office by the Speaker, pursuant to clause 1 of rule II,⁽¹⁴⁾ and such removal may be prospective.⁽¹⁵⁾ To fill a vacancy in the Office of the CAO on a permanent basis, the House must adopt a resolution electing a new individual to the position.⁽¹⁶⁾ The CAO may resign from the position,⁽¹⁷⁾ and such resignation may be prospective.⁽¹⁸⁾ Pursuant to statute,⁽¹⁹⁾ the CAO designates deputy CAOs to perform the duties of the office in the temporary absence of the CAO.⁽²⁰⁾

Election of the CAO

§ 17.1 The Chief Administrative Officer of the House is an elected officer whose election proceeds by the adoption of a privileged resolution naming an individual to the position.

The Chief Administrative Officer is typically elected on opening day of a new Congress along with the other elected officers of the House. However,

8. See § 13, *supra*. See also Precedents (Wickham) Ch. 1 § 5.1 and § 17.1, *infra*. The House may also elect a CAO prospectively. See § 17.2, *infra*.
9. See § 13, *supra*. See also Precedents (Wickham) Ch. 2 § 1 and §§ 17.1, 17.2, *infra*.
10. *Parliamentarian's Note*: Normally, the oath of office is administered immediately following the officer's election by the House. However, the oath may be administered prospectively if the effective date of the election is in the future. See § 17.2, *infra*. For a similar example, where the oath of office was administered to the Postmaster in advance of the electing resolution's effective date, see 118 CONG. REC. 22387, 92d Cong. 2d Sess. (June 26, 1972). The oath of office is also administered to a temporary CAO appointed by the Speaker pursuant to statute. See §§ 17.3, 17.7, *infra*.
11. 2 U.S.C. § 5501.
12. See §§ 17.3, 17.7, *infra*.
13. See § 17.7, *infra*.
14. *House Rules and Manual* § 640 (2019).
15. See § 17.5, *infra*.
16. See §§ 17.1, 17.2, *infra*.
17. See § 17.3, *infra*.
18. See § 17.4, *infra*.
19. P.L. 110–5, 120 Stat. 1311.
20. See § 17.8, *infra*.

if a vacancy occurs during a Congress,⁽²¹⁾ the House adopts a privileged resolution to fill the vacancy, as occurred on July 31, 1997:⁽²²⁾

ELECTION OF CHIEF ADMINISTRATIVE OFFICER

Mr. [John] BOEHNER [of Ohio]. Mr. Speaker, I offer a privileged resolution (H. Res. 207) and ask for its immediate consideration.

The SPEAKER pro tempore.⁽²³⁾ The resolution constitutes a question of privilege.

The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 207

Resolved, That James M. Eagen, III, of the Commonwealth of Pennsylvania, be, and he is hereby, chosen Chief Administrative Officer of the House of Representatives.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. BOEHNER] and the gentleman from Maryland [Mr. HOYER] each will control 30 minutes.

The Chair recognizes the gentleman from Ohio [Mr. BOEHNER].

Mr. BOEHNER. Mr. Speaker, I yield myself such time as I may consume. . . .

Mr. BOEHNER. Reclaiming my time, Mr. Speaker, let me close this discussion by also congratulating the Acting CAO, Jeff Trandahl. Jeff is a valued employee of the House, and he worked for PAT ROBERTS for many years, and he worked for the Committee on Agriculture and then worked in the Clerk's office over the last 2 years before taking over this temporary assignment. And I think the best tribute to Jeff over the last 6 months, 7 months or so, is that we have not heard one word about the Acting CAO for this period of time that he has been there, and he has done, I think, a marvelous job running the organization, and with that I look forward to the dawning of our new CAO, Jay Eagen.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

§ 17.2 The Chief Administrative Officer may be elected prospectively.⁽²⁴⁾

On July 13, 2016,⁽²⁵⁾ the House adopted a privileged resolution electing Philip George Kiko to the position of Chief Administrative Officer on a future date:

21. *Parliamentarian's Note*: The Speaker may also fill such a vacancy on a temporary basis pursuant to statute. 2 U.S.C. § 5501. See §§ 17.3, 17.7, *infra*.

22. 143 CONG. REC. 17021, 17023, 105th Cong. 1st Sess.

23. Ray LaHood (IL).

24. *Parliamentarian's Note*: The previous Chief Administrative Officer, Will Plaster was appointed to act as CAO on December 16, 2015 (see § 17.5, *infra*) and was set to resign on August 1, 2016. The House was not expected to be in session that day, hence the need for this prospective election to fill the vacancy.

25. 162 CONG. REC. H4843 [Daily Ed.], 114th Cong. 2d Sess. For another prospective election of a CAO, see 153 CONG. REC. 3156–60, 110th Cong. 1st Sess. (Feb. 6, 2007).

ELECTING THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE OF REPRESENTATIVES

Mrs. [Cathy] McMORRIS RODGERS [of Washington]. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 826

Resolved, That Philip George Kiko of the State of Ohio, be, and is hereby, chosen Chief Administrative Officer of the House Representatives, effective August 1, 2016.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER.⁽²⁶⁾ Will the Chief Administrative Officer-designate please take the well.

The Chair will now administer the oath of office to the Chief Administrative Officer.

Mr. Kiko appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, Mr. Kiko.

Resignation of the CAO**§ 17.3 An individual serving as Chief Administrative Officer may resign the position, and such resignation is subject to acceptance by the House.**

On July 15, 2010,⁽²⁷⁾ the House accepted the resignation of Daniel P. Beard, Chief Administrative Officer:

RESIGNATION OF CHIEF ADMINISTRATIVE OFFICER

The SPEAKER laid before the House the following communication from the Chief Administrative Officer of the House of Representatives:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 1, 2010.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: I'm writing to tender my resignation as Chief Administrative Officer for the U.S. House of Representatives effective July 18, 2010.

It has been a distinct honor and privilege to serve you and House in this position over the past three and one-half years. I believe we have made substantial strides to make

26. Paul Ryan (WI).

27. 156 CONG. REC. 13110–11, 111th Cong. 2d Sess.

House operations more sustainable, provide Members and staff with improved benefits, and provide the House community with a safer and more secure information technology system.

I will always be grateful to you for giving me this opportunity to serve this wonderful institution. I also want to thank you for your personal support.

With warmest best regards, I am

Sincerely yours,

DANIEL P. BEARD.

The SPEAKER.⁽²⁸⁾ Without objection, the resignation is accepted.
There was no objection.

§ 17.4 An individual serving as Chief Administrative Officer may resign the office prospectively.⁽²⁹⁾

On January 7, 2014,⁽³⁰⁾ the following resignation was accepted:

RESIGNATION OF CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following communication from the Chief Administrative Officer of the House of Representatives:

CHIEF ADMINISTRATIVE OFFICER,
HOUSE OF REPRESENTATIVES,
Washington, DC, November 1, 2013.

Hon. JOHN A. BOEHNER,
House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you of my intent to resign as Chief Administrative Officer (CAO) effective at the close of business on January 6, 2014.

Thank you for the opportunity to serve you and the U.S. House of Representatives. Over the course of my 28 years as a staff member, I have developed a deep respect and reverence for the institution and, in particular, the Members and staff whose dedication and commitment to service make it an exciting, vibrant, and interactive community.

Additionally, I want to thank Ed Cassidy of your staff for his leadership, direction and support as Director of House Operations. He has done a tremendous job instilling and fostering a culture of collaboration and coordination within and among the institutional entities that support the House.

Finally, I want to thank my colleagues in the Office of the CAO and all the other institutional offices whose non-partisan professionalism serve as a model of excellence for other legislative bodies.

28. Nancy Pelosi (CA).

29. *Parliamentarian's Note*: The resignation of the CAO occurred between sessions of Congress. Although Mr. Strodel's letter was dated November 1, 2013, it was not laid down until after its effective date (Jan. 6, 2014). This was the first legislative day after that date. For an example of a resignation of a CAO that was accepted by the House prospectively, see § 17.3, *supra*.

30. 160 CONG. REC. 91, 113th Cong. 2d Sess. For a similar prospective resignation of a CAO, see 153 CONG. REC. 3156, 110th Cong. 1st Sess. (Feb. 6, 2007).

I will work with my successor as needed to ensure a smooth transition.

Sincerely,

DANIEL J. STRODEL.

The SPEAKER.⁽³¹⁾ Without objection, the resignation is accepted.
There was no objection.

Removal of the CAO

§ 17.5 Pursuant to clause 1 of rule II,⁽³²⁾ the Speaker may remove the Chief Administrative Officer of the House, and such removal may be prospective.⁽³³⁾

On December 16, 2015,⁽³⁴⁾ the following occurred:

REMOVAL AND APPOINTMENT OF CHIEF ADMINISTRATIVE OFFICER

The SPEAKER laid before the House the following communication from the Chief Administrative Officer of the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, December 2, 2015.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER RYAN: I am writing to advise you of my intention to retire from federal service in early 2016. Accordingly, I hereby resign as Chief Administrative Officer of the House effective upon the election of my successor, or as you otherwise direct.

It has been a high honor and distinct privilege to serve you and your colleagues, past and present, since the 1970's; and especially so, to serve alongside the extraordinarily dedicated men and women in the Office of the CAO during the 113th and 114th Congresses.

In order to ensure a seamless transition, I am pleased that Clerk of the House Karen Haas has graciously detailed to my office Mr. Will Plaster, a senior member of her staff, to serve on an interim basis as Deputy Chief Administrative Officer.

Mr. Speaker, I appreciate more than words can adequately convey the priceless opportunities afforded me throughout my career to serve this magnificent—and uniquely American—institution we call the people's House.

31. John Boehner (OH).

32. *House Rules and Manual* § 640 (2019).

33. *Parliamentarian's Note*: This was the first exercise of removal authority by the Speaker of an elected officer of the House under clause 1 of rule II. *House Rules and Manual* § 640 (2019). The Speaker may remove an elected officer prospectively. As depicted below, the CAO (Ed Cassidy) indicated an intention to resign, but did not provide an effective date of the resignation. In order to establish a specific date on which Mr. Cassidy would no longer be CAO, the Speaker utilized his removal authority to declare the office vacant on a particular date, and appoint a replacement on the same day. For the eventual election of Philip Kiko as CAO, see § 17.2, *supra*.

34. 161 CONG. REC. H9332 [Daily Ed.], 114th Cong. 1st Sess.

I congratulate you on your election as Speaker, and wish you all the best in the challenging days ahead.

Sincerely,

ED CASSIDY.

Appointment of the CAO

§ 17.6 Pursuant to statute,⁽³⁵⁾ the Speaker may appoint a Chief Administrative Officer of the House on a temporary basis⁽³⁶⁾ if there occurs a vacancy in the office.

On July 15, 2010,⁽³⁷⁾ following the resignation of the CAO, the Speaker exercised statutory authority to appoint a temporary CAO:

APPOINTMENT OF TEMPORARY CHIEF ADMINISTRATIVE OFFICER

The SPEAKER.⁽³⁸⁾ Pursuant to the provisions of section 208(a) of the Legislative Reorganization Act of 1946, the Chair appoints Daniel J. Strodel of the District of Columbia to act as and to exercise temporarily the duties of Chief Administrative Officer of the House of Representatives, effective July 18, 2010.

Mr. Strodel appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations.

Vacancy at the Beginning of a Congress

§ 17.7 The House has created a vacancy in the Office of the Chief Administrative Officer (CAO) by adopting a resolution on the opening day of a new Congress electing officers of the House, but not naming an individual to the position of CAO.⁽³⁹⁾

35. 2 U.S.C. § 5501.

36. *Parliamentarian's Note*: An individual appointed under statute may “exercise temporarily the duties” of the Office of the CAO. 2 U.S.C. § 5501. In order to fill the vacancy on a permanent basis, the House must adopt a resolution electing the CAO. In this instance, the temporary appointed CAO served for the remainder of the Congress, and was elected to the position by resolution on opening day of the following Congress. See H. Res. 1, 157 CONG. REC. 79, 112th Cong. 1st Sess. (Jan. 5, 2011).

37. 156 CONG. REC. 13111, 111th Cong. 2d Sess.

38. Nancy Pelosi (CA).

39. *Parliamentarian's Note*: The majority party caucus did not recommend an individual for the position of CAO, allowing the position to be filled temporarily by the Speaker.

On January 7, 1997,⁽⁴⁰⁾ the resolution electing officers of the House did not include a named individual to the position of CAO, thus creating a vacancy in the office:

ELECTION OF CLERK OF THE HOUSE, SERGEANT AT ARMS, AND CHAPLAIN

Mr. [John] BOEHNER [of Ohio]. Mr. Speaker, I offer a privileged resolution (H. Res. 1) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1

Resolved, That Robin H. Carle, of the Commonwealth of Virginia, be, and she is hereby chosen Clerk of the House of Representatives:

That Wilson S. Livingood, of the Commonwealth of Virginia, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives; and

That Reverend James David Ford of the Commonwealth of Virginia, be, and he is hereby, chosen Chaplain of the House of Representatives.

Mr. [Victor] FAZIO of California. Mr. Speaker, I have an amendment to the resolution, but before offering the amendment, I request that there be a division of the question on the resolution so that we may have a separate vote on the Chaplain.

The SPEAKER.⁽⁴¹⁾ The question will be divided.

The question is on agreeing to that portion of the resolution providing for the election of the Chaplain.

That portion of the resolution was agreed to.

AMENDMENT OFFERED BY MR. FAZIO OF CALIFORNIA

Mr. FAZIO of California. Mr. Speaker, I offer an amendment to the remainder of the resolution offered by the gentleman from Ohio [Mr. BOEHNER].

The Clerk read as follows:

Amendment offered by Mr. FAZIO of California:

That Marti Thomas, of the District of Columbia, be, and she is hereby, chosen Clerk of the House of Representatives;

That Sharon Daniels, of the State of Maryland, be, and she is hereby, chosen Sergeant at Arms of the House of Representatives; and

That Steve Elmendorf, of the District of Columbia, be, and he is hereby, chosen Chief Administrative Officer of the House of Representatives.

The SPEAKER. The question is on the amendment offered by the gentleman from California [Mr. FAZIO].

The amendment was rejected.

The SPEAKER. The question is on the remainder of the resolution offered by the gentleman from Ohio [Mr. BOEHNER].

The remainder of the resolution was agreed to.

The SPEAKER. Will the officers-elect present themselves in the well of the House?

The officers-elect presented themselves at the bar of the House and took the oath of office as follows:

40. 143 CONG. REC. 120, 105th Cong. 1st Sess.

41. Newt Gingrich (GA).

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion, and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God.

The SPEAKER. Congratulations. You have been sworn in as officers of the House.

On January 9, 1997,⁽⁴²⁾ the Speaker temporarily filled the vacancy in the Office of the CAO by exercising statutory appointment authority.⁽⁴³⁾

APPOINTMENT OF TEMPORARY CHIEF ADMINISTRATIVE OFFICER OF HOUSE OF REPRESENTATIVES

The SPEAKER.⁽⁴⁴⁾ Pursuant to the provisions of section 208(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. § 75a–1), the Chair appoints Jeff Trandahl of Virginia to act as and to exercise temporarily the duties of Chief Administrative Officer of the House of Representatives.

Mr. Trandahl appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion, and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God.

Deputy Chief Administrative Officer

§ 17.8 Pursuant to law,⁽⁴⁵⁾ the Chief Administrative Officer (CAO) designates deputies to act in the CAO's stead in the event of the CAO's death, resignation, separation from office, or disability.

On June 10, 2008,⁽⁴⁶⁾ the following communication was laid before the House:

COMMUNICATION FROM THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Chief Administrative Officer of the House of Representatives:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, June 5, 2008.

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- 42.** 143 CONG. REC. 279, 105th Cong. 1st Sess. On July 31, 1997, the House adopted a resolution to fill the vacancy on a permanent basis. See § 17.1, *supra*.
- 43.** 2 U.S.C. § 5501. At the time of these proceedings, this statutory provision was found at 2 U.S.C. § 75a–1.
- 44.** Newt Gingrich (GA).
- 45.** P.L. 110–5, 121 Stat. 8. In the 110th Congress, section 20702(b) of House Joint Resolution 20 enacted by reference section 103 of H.R. 5521 (passed by the House in the 109th Congress). See 152 CONG. REC. 10203, 10230–31, 109th Cong. 2d Sess. (June 7, 2006) and 153 CONG. REC. 2729, 2763–64, 110th Cong. 1st Sess. (Jan. 31, 2007)
- 46.** 154 CONG. REC. 12034, 110th Cong. 2d Sess.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to § 20702(b) of H.J. Res. 20, P.L. 110–5, I am notifying the House that I am designating Ali Qureshi, Deputy Chief Administrative Officer for Operations and Walter Edwards, Deputy CAO for Customer Solutions to act in my stead in the event of my death, resignation, separation from office or disability until a Chief Administrative Officer is appointed pursuant to 2 U.S.C. § 5501.

Sincerely,

DANIEL P. BEARD.

D. Other House Officials and Capitol Employees

§ 18. The Parliamentarian

The Parliamentarian of the House is a nonpartisan official appointed by the Speaker to provide impartial guidance on House rules, precedents, and customs. Prior to the advent of the position of Parliamentarian, a “Clerk at the Speaker’s table” performed a similar role, advising the presiding officer as to proper parliamentary procedure.⁽¹⁾ In the 69th Congress in 1927, the official became formally known as the Parliamentarian of the House.⁽²⁾ In the 95th Congress, the House formally established an Office of the Parliamentarian in law.⁽³⁾ The office consists of the Parliamentarian, the Deputy Parliamentarian, and other attorneys, clerks, and IT support professionals. The Office of the Parliamentarian provides procedural guidance to the Speaker, House leadership, Members, committees, and staff.

The Parliamentarian has a wide variety of duties both on and off the floor of the House. Whenever the House is in session, the Parliamentarian is present on the floor and sits or stands to the right of the Chair. From that position, the Parliamentarian advises the presiding officer in real time as

1. An even earlier position, known as the “Messenger to the Speaker” dates back to at least the 34th Congress in 1857. See <https://history.house.gov/People/Office/Parliamentarians/> (last visited Oct. 24, 2019).
2. 68 CONG. REC. 2622–23, 69th Cong. 2d Sess. (Jan. 31, 1927). Since the 69th Congress, there have been six individuals appointed as Parliamentarian of the House: Lehr Fess (1919–1928), Lewis Deschler (1928–1974), William Holmes Brown (1974–1994), Charles W. Johnson, III (1994–2004), John V. Sullivan (2004–2012), and Thomas J. Wickham, Jr. (2012–).
3. 2 U.S.C. § 287. See § 18.1, *infra*.