



Members of Congress Who Die in Office: Historic and Current Practices

-name redacted-

Specialist in American National Government

-name redacted-

Information Research Specialist

April 25, 2012

Congressional Research Service

7-....

www.crs.gov

RL34347

Summary

Since 1973, 84 Members of Congress—69 Representatives and 15 Senators—have died in office. When a sitting Member dies, the House and Senate carry out a number of actions based on chamber rules, statutes, and long-standing practices. Some observances, such as adjourning briefly as a mark of respect to the deceased, appointing Member delegations to attend funerals of deceased colleagues, or paying the costs of a funeral from public funds, were initially observed in the earliest Congresses, or predate the national legislature established under the Constitution. It appears that contemporary congressional response to the death of a sitting Member is affected by a number of external factors including the following: circumstances of the Member's death, preferences of the deceased Member or the Member's family regarding funeral services, whether Congress is in session when the Member dies, pending congressional business at the time of the Member's death, and events external to Congress at the time.

Congressional response to the death of a sitting Member could be characterized as a broad set of actions that are determined in detail at or around the time of the death, in response to a wide array of factors. Broadly, these actions fall into five categories, including announcement or acknowledgment on the House or Senate floor; consideration of resolutions of condolence; a funeral or other rites; issues related to the deceased Member's office, staff, and survivor benefits; and publication of memorials.

This report, which will be updated as events warrant, is one of several CRS products focusing on various aspects of the operations and administration of Congress and the legislative branch. Others include CRS Report RL30064, *Congressional Salaries and Allowances*, by (name redacted); CRS Report R42072, *Legislative Branch Agency Appointments: History, Processes, and Recent Proposals*, by (name redacted); CRS Report RL34619, *Use of the Capitol Rotunda, Capitol Grounds, and Emancipation Hall: Concurrent Resolutions, 101st to 112th Congress*, by Matthew Eric Glassman and (name redacted); and CRS Report R42365, *Representatives and Senators: Trends in Member Characteristics Since 1945*, coordinated by (name redacted).

Contents

| | |
|---|----|
| Background and Context | 1 |
| Floor Announcement or Acknowledgment of a Member’s Death | 3 |
| House Practice | 3 |
| Representatives-Elect | 5 |
| Senate Practice | 6 |
| Resolutions of Condolence | 7 |
| House Practice | 7 |
| Senate Practice | 8 |
| Funeral and Disposition of Remains | 9 |
| House Practice | 10 |
| Senate Practice | 11 |
| Deceased Member’s Office, Staff, and Survivor Benefits | 12 |
| House Practice | 12 |
| Senate Practice | 13 |
| Publication of Memorials | 14 |
| House Practice | 14 |
| Senate Practice | 14 |
| Previous Senate Observances of the Death of a Sitting Senator | 14 |

Tables

| | |
|---|----|
| Table 1. Members of the House Who Died in Office, and Resolutions of Condolence Adopted in the House and Senate, 1973-2012 | 17 |
| Table 2. Senators Who Died in Office, and Resolutions of Condolence Adopted in the Senate and House, 1978-2010 | 21 |
| Table 3. Observances by Congress of the Deaths of Selected Senators, 1793-2010 | 22 |

Contacts

| | |
|----------------------------------|----|
| Author Contact Information | 25 |
|----------------------------------|----|

Background and Context

Since 1973, 84 Members of Congress—69 Representatives and 15 Senators—have died in office. When a sitting Member dies, the House and Senate carry out a number of actions based on chamber rules, statutes, and long-standing practices. Some congressional practices related to the death of a sitting Member predate the national legislature established by the Constitution. On October 23, 1775, the Continental Congress, sitting in Philadelphia, was informed that Peyton Randolph, a Delegate from Virginia and president of the Continental Congress, “suddenly departed this life” the day before, and resolved that its members would “attend his funeral as mourners, with a crape round their left arm,” and “continue in Mourning for the space of one month.” A committee of three Delegates was appointed to “superintend the funeral,” and the Reverend Jacob Duché, rector of St. Peter’s Episcopal and Christ Churches¹ was requested to “prepare a proper discourse to be delivered at the funeral.”²

During the First Congress (1789-1791), the first instances of the death of a sitting Senator and Representative occurred. Senator William Grayson of Virginia died on March 12, 1790. No direct mention of the event is recorded in the *Senate Journal* or the *Annals of Congress*.³ On June 1, 1790, the House was informed of the death of Representative Theodorick Bland of Virginia. The House ordered the Virginia delegation to “be a committee to superintend the funeral, and that the House attend the same.” The next day, it was ordered that the House Members go into mourning for one month, “by the usual method of wearing crape around the left arm.”⁴

In the 19th century, Congress adopted the practice of paying some of the expenses of funeral services for sitting Members. Services were sometimes held in the House⁵ or Senate⁶ chamber.

¹ See University of Pennsylvania, “Penn in the 18th Century: Jacob Duché (1737-1798),” at http://www.archives.upenn.edu/people/1700s/duche_jacob.html.

² Quotes taken from U.S. Continental Congress, *Journals of the Continental Congress, 1774-1789*, 34 vols. (Washington: GPO, 1905), vol. 3, pp. 302-303.

³ An indirect mention of Senator Grayson’s demise occurred at the beginning of the third session of the First Congress on December 6, 1790. Senator John Walker was appointed to the seat held by Senator Grayson by the governor of Virginia and served in the Senate from March 31 to November 9, 1790 (taking his seat in the chamber on April 26), when Senator James Monroe was elected to the seat by the Virginia legislature. When Senator Walker took his seat on the first day of the third session, the *Journal* noted that he had come to the Senate in place of Senator Grayson. See *Senate Journal*, 1st Cong., 2nd sess., April 26, 1790 (Washington: Gales and Seaton, 1820), p. 134; *Ibid.*, 1st Cong., 3rd sess., December 6, 1790, p. 215; and *Annals of the Congress of the United States*, vol. II, December 6, 1790 (Washington: Gales and Seaton, 1834), p. 1770. The absence of a record of direct official recognition of Senator Grayson’s death does not conclusively demonstrate that the Senate took no action. During the early years of the republic, substantially verbatim records of congressional proceedings were not required. Available records are limited, official minutes of measures considered and formal actions taken by the chamber in the *Journal* of each chamber. Moreover, the Senate, until 1794, met in secret. Accordingly, while it appears that the Senate adopted no resolution in response to Senator Grayson’s death, it cannot be determined whether individual Senators spoke on the matter, or whether the chamber marked the occasion with a moment of silence or other tribute. The first public, direct acknowledgment by the Senate of the death of one of its Members appears to have occurred on March 19, 1806, the day after the death of Senator James Jackson of Georgia. In response, the Senate adopted resolutions appointing a committee to superintend the funeral, attend the funeral, notify the House, observe 30 days of mourning, and wear crape. See *Senate Journal*, 9th Cong., 2nd sess., March 19, 1806 (Washington: Gales and Seaton, 1821), p. 60. A searchable version of the *Senate Journal* entries for the first 43 Congresses is available at <http://memory.loc.gov/ammem/amlaw/lwsjlink.html>.

⁴ Asher C. Hinds, *Hinds’ Precedents of the House of Representatives of the United States*, vol. V (Washington: GPO, 1907), p. 1039.

⁵ Funeral services were held for 31 deceased Representatives who died in office between 1820 and 1940. See Clerk of (continued...)

On February 27, 1838, for example, funeral services for Representative Jonathan Cilley of Maine were held in the Hall of the House, with the House and Senate in attendance.⁷ When services or interment were not held in Washington, DC, it was the practice of both chambers to appoint a committee of Members to escort the remains of a deceased colleague to their final destination. On June 28, 1847, the House and Senate each voted to accompany the remains of Senator John Fairfield of Maine “from his house to the depot, where they were to be delivered to” Representative Franklin Clark, who accompanied them to Maine.⁸ By the 41st Congress (1869-1871), it had “for a long time been a custom to appoint a joint committee to attend the remains of a deceased Senator or Member to his home, as in the instance of Senator Daniel S. Morton, of Minnesota, on July 14, 1870.”⁹

In contemporary times, chamber rules and statutes set out some of the congressional response to the death of a sitting Member, and former Members who served as Speaker.¹⁰ Evidence from the *Senate Journal*, House precedents, and other historical documents shows that some long-standing observances, such as adjourning briefly as a mark of respect to the deceased, appointing Member delegations to attend funerals of deceased colleagues, or paying the costs of a funeral from public funds, may be employed. Other customs, such as wearing crape, holding services in the House or Senate chambers,¹¹ or appointing Members to escort the body back to the home state, have not been observed for at least several decades. In addition to some evolutionary changes in institutional patterns, it appears that contemporary congressional response is affected by a number of external factors including the following:

- circumstances of the Member’s death;

(...continued)

the House, “Funerals in the House Chamber,” at http://clerk.house.gov/art_history/house_history/funerals.html.

⁶ Senate documents indicate that between 1812 and 1959, funeral services were held in the Senate chamber for 40 people, including Vice President George Clinton (1812), 35 Senators who died in office, and four former Senators. See “Funerals Held in the Senate Chamber,” retrieved from the Senate Library, and available from the authors upon request.

⁷ Following the services, a funeral procession accompanied the body of Representative Cilley to a place of interment. The procession consisted of the chaplains of the House and Senate; a seven-Member House committee of arrangements; six Representatives appointed as pallbearers; family and friends of the deceased; Representatives and Senators from Maine as mourners; the House Sergeant at Arms; the Members of the House, preceded by the Speaker and the Clerk; the Senate Sergeant at Arms; the Senate, preceded by the Vice President and the Secretary of the Senate; President Martin Van Buren; executive branch department secretaries; “judges of the Supreme Court and its officers;” foreign ministers; and citizens and strangers, See *Congressional Globe*, vol. 6, February 26, 1838 (Washington: Blair and Rives, 1838), p. 200. While the House and Senate typically voted to attend services held in Washington, DC, for a sitting Member, the presence of officials from the executive and judicial branches and diplomatic corps appears to be atypical. A partial explanation may be found in the circumstances of Representative Cilley’s death. Representative Cilley was killed in a duel with Representative William J. Graves of Kentucky on February 24, 1838. Congress subsequently passed legislation prohibiting the giving or accepting, within the District of Columbia, of challenges to a duel (Chap. XXX, Feb 20, 1839, 5 Stat. 318). See *Biographical Directory of the United States Congress, 1774-Present* website at <http://bioguide.congress.gov/scripts/biodisplay.pl?index=C000395> and <http://bioguide.congress.gov/scripts/biodisplay.pl?index=G000392>.

⁸ Hinds, *Hinds’ Precedents*, vol. V, p. 1039.

⁹ *Ibid.*, p. 1040.

¹⁰ The death of former Members of either chamber may or may not be acknowledged by a resolution of condolence or floor statements in the House or Senate.

¹¹ Ceremonies to mark the passing of a sitting Member are sometimes held elsewhere in the Capitol. Most recently, a memorial service was held in Statuary Hall of the Capitol for Representative Thomas Peter Lantos of California, February 14, 2005.

- preferences of the deceased Member, or the Member’s family, regarding funeral services;
- whether Congress is in session when the Member dies;
- pending congressional business at the time of the Member’s death; and
- events external to Congress.

Consequently, it appears that congressional response to the death of a sitting Member could be characterized as a set of actions that are determined in detail at or around the time of the death, in response to an array of factors. Generally, these actions fall into five categories:

- Floor Announcement or Acknowledgment;
- Resolution of Condolence;
- Funeral;
- Deceased Member’s Office, Staff, and Survivor Benefits; and
- Publication of Memorials.

Floor Announcement or Acknowledgment of a Member’s Death

Congressional recognition of the death of a sitting Member occurs principally on the floor of the chamber in which the deceased served. Specific actions are contingent on whether Congress is in session, the business pending before the chamber, and the circumstances of the Member’s death.¹²

House Practice

If the House is in session, the death of a sitting Member is typically announced on the floor. No specific protocol has been identified, but notices of death have typically been made by the Speaker, by a Member who indicates that they have been informed by House leaders of the death of a colleague, or by a Member from the decedent’s state delegation. Depending on floor business, the House may continue with pending matters, suspend business for special order speeches and other memorials to the deceased Member, or immediately adjourn for the day in honor of the decedent.¹³

The death of Representative Julia May Carson of Indiana, who died on December 15, 2007, was acknowledged when the House met on December 17. In his opening prayer, the Reverend Daniel

¹² In addition to congressional activity related to the death of a sitting Member or former Speaker, 4 U.S.C. 7 provides that the American flag be flown at half staff for a former Speaker of the House for 10 days from the day of his or her death, and on the day of death and the following day for a Member of Congress. In practice, the flag is typically flown at half staff on the Capitol and congressional buildings in Washington, DC, from the day of death until the funeral of the deceased Member.

¹³ Regardless of when the House adjourns, on the day the death of a Member is acknowledged, it adjourns “as a further mark of respect to the memory” of the decedent. See, e.g., *Congressional Record*, daily edition, April 23, 2007, p. H3775; and October 9, 2007, p. H11390.

P. Coughlin, chaplain of the House, noted Representative Carson's demise.¹⁴ A short time later, Representative Dan Burton, dean of the Indiana delegation, was recognized to speak, and yielded to Representative Peter Visclosky of Indiana, who informed the House of Representative Carson's passing, and announced a special order for tributes to her. Following brief remarks by Representative Burton, Representative Visclosky asked for and was granted a moment of silence in Representative Carson's memory.¹⁵

Other contemporary examples of the House acknowledging the death of a sitting Member include the following:

- No formal announcement regarding the death of Representative Jo Ann Davis of Virginia, who died Saturday, October 6, 2007, was made in the House when the chamber next met on October 9, and no moment of silence was observed. During the prayer at the beginning of the session, the chaplain mentioned Representative Davis, and some Members commented through one minute speeches.¹⁶ A resolution of condolence was considered and adopted later in the day.¹⁷
- Following the death of Representative Paul E. Gillmor of Ohio on September 5, 2007, Representative John Boehner, the Republican leader, received unanimous consent to speak out of order to inform the chamber.¹⁸ Later in the day, Representative Ralph Regula of Ohio rose to announce his intention to introduce a "resolution of bereavement" and asked that the House rise for a moment of silence.¹⁹
- The death of Representative Juanita Millender-McDonald of California, on April 22, 2007, was announced the next day by Representative Pete Stark of California, who asked for a moment of silence. Following brief consideration of other matters, the House moved to consideration and adoption of a resolution of condolence before adjourning.²⁰
- An announcement of the death of Representative Charles W. Norwood Jr. of Georgia, who died on February 13, 2007, after a long illness, was made to the House in the middle of debate on H.Con.Res. 63, regarding President George W. Bush's decision to send additional military personnel to Iraq.²¹ On February 13, debate on the concurrent resolution was briefly interrupted twice to acknowledge Representative Norwood's death. Representative Ileana Ros-Lehtinen of Florida, who was recognized to speak on the pending resolution, announced

¹⁴ "Prayer," *Congressional Record*, daily edition, December 17, 2007, p. H15472.

¹⁵ "Moment of Silence in Memory of the Honorable Julia Carson, Member of Congress," *Congressional Record*, daily edition, December 17, 2007, p. H15514.

¹⁶ *Congressional Record*, daily edition, October 9, 2007, p. H11323.

¹⁷ *Congressional Record*, daily edition, October 9, 2007, pp. H 11369-H11390.

¹⁸ "Announcing the Passing of Congressman Paul E. Gillmor," *Congressional Record*, daily edition, September 5, 2007, p. H10103.

¹⁹ "Moment of Silence in Memory of the Late Honorable Paul E. Gillmor," *Congressional Record*, daily edition, September 5, 2007, p. H10112.

²⁰ *Congressional Record*, daily edition, April 23, 2007, pp. H3742-H3775.

²¹ H.Con.Res. 63, 110th Congress, Disapproving of the decision of the President announced on January 10, 2007, to deploy more than 20,000 additional United States combat troops to Iraq, introduced February 12, 2007.

Representative Norwood's death.²² A short time later, Representative John Nathan Deal of Georgia came to the floor on behalf of the Georgia delegation to announce Representative Norwood's death and to ask for a moment of silence.²³

Pursuant to House Rule XX, clause 5(d), the Speaker or Speaker pro tempore typically announces a revised whole number of the House in light of the passing of a Representative soon after the House acknowledges the Member's passing.²⁴

When a Member of the House dies during an extended period of congressional recess or adjournment, it has been the practice of the House since at least 1826 to make an announcement on the next day the chamber convened.²⁵ This approach was taken when Representative Floyd Spence of South Carolina died on August 16, 2001. When the House reconvened on September 5, Speaker Dennis Hastert addressed the House to announce Representative Spence's death, that a funeral had been held, that Representative John Spratt would later offer a resolution of condolence, and that a special order in tribute to Representative Spence²⁶ would be held in the future.

Representatives-Elect

Representatives-elect who died between their election and the convening of Congress have been acknowledged by the House. In 1833, news of the death of Representative-elect Thomas D. Singleton of South Carolina, while traveling to take his seat in Washington, DC, was announced. Representative Henry L. Pinckney of South Carolina, noting that while Mr. Singleton had not appeared and qualified, "it was fitting, and according to the usages of the House, to pay him the usual observances of respect." Following the adoption of a resolution of condolence, Representative Pinckney "moved an adjournment of the House, saying that he believed such to be the custom in these cases."²⁷

According to House precedents and more recent practice, recognizing deceased Representatives-elect in a manner similar to that of sitting Members also occurred in the 20th century.²⁸ On the first day of the 98th Congress (1983-1984), the House took official notice of the death of Representative-elect Jack Swigert through an announcement of his passing by the Sergeant at Arms. Later in the day, the House adopted a resolution of condolence and appointed five Members to attend Mr. Swigert's funeral.²⁹

²² "Announcing the Passing of the Honorable Charlie Norwood," *Congressional Record*, daily edition, February 13, 2007, pp. H1500-H1501.

²³ "Moment of Silence Observed in Memory of the Honorable Charlie Norwood," *Congressional Record*, daily edition, February 13, 2007, p. H1502.

²⁴ See, e.g., *Congressional Record*, daily edition, December 17, 2007, p. H15472; and April 23, 2007, p. H3742.

²⁵ Hinds, *Hinds' Precedents*, vol. V, p. 1042.

²⁶ "In Honor of Our Great Colleagues," *Congressional Record*, September 5, 2001, p. 16381. It appears that the special order was not held, possibly due in part to the increase in congressional activity in the aftermath of the September 11, 2001, attacks.

²⁷ Hinds, *Hinds' Precedents*, vol. V, p. 1045.

²⁸ See *Ibid.*; and Clarence Cannon, *Cannon's Precedents of the House of Representatives of the United States*, vol. VIII (Washington: GPO, 1935), p. 928.

²⁹ "Announcements of the Sergeant at Arms," *Congressional Record*, vol. 135, January 3, 1983, p. 30; H.Res. 14, 98th Congress, "A Resolution That the House Adjourn as a Mark of Respect to the Memory of the Honorable Jack Swigert, (continued...)"

In addition to a resolution of condolence, discussed below, there may be other tributes to the deceased Member offered on the floor of the House. These may include one minute speeches by individual Members, or special orders dedicated to the memory of the deceased Member. Either of these approaches would be subject to House rules regarding non-legislative debate in the House.³⁰

Senate Practice

When the Senate is in session, news of the passing of a sitting Senator is often widely known when the chamber meets. Consequently, a formal floor announcement is generally not made. The death of a sitting Senator is typically acknowledged on the Senate floor in prayers offered by the chaplain, through tributes offered by other Senators, and consideration of a resolution of condolence. The Senate may continue with other business, or adjourn after acknowledging a Senator's demise. When it does adjourn, the chamber typically does so as a mark of further respect to the late Senator. Exceptions to this practice arise when news of the death of a Senator reaches the Senate while it is meeting. In those circumstances, including the deaths of Senator Paul Coverdell of Georgia on July 18, 2000, and Senator Quentin Burdick of North Dakota on September 8, 1992, the majority leader made an announcement.³¹

Senator Craig Thomas of Wyoming died on June 4, 2007. No formal announcement of his passing was made in the Senate. When the Senate met the next day, the chaplain mentioned Senator Thomas in the opening prayer. Senator Mitch McConnell, the Republican leader, subsequently offered a tribute, followed by Majority Leader Harry Reid, who also offered a tribute, and who asked for unanimous consent to postpone previously scheduled Senate activity to later in the day so "people have the opportunity to come and speak about" Senator Thomas. Senator Reid then asked for a moment of silence in recognition of Senator Thomas.³² After several Senators offered tributes, the Senate resumed planned business before adopting a resolution of condolence and adjourning "as a mark of further respect to the memory of" Senator Thomas.³³

Similar exercises were carried out to honor Senator Paul Wellstone of Minnesota, who died in an aircraft accident while campaigning for reelection on October 27, 2002.³⁴ When the Senate met October 28, it observed a moment of silence, adopted a resolution of condolence, and adjourned as a further mark of respect to Senator Wellstone's memory.³⁵ On November 12, several Senators offered tributes.³⁶

(...continued)

Representative-elect from the State of Colorado," adopted January 3, 1983; and "The Late Honorable Jack Swigert," *Congressional Record*, vol. 135, January 3, 1983, p. 54.

³⁰ For further information, see CRS Report RS21174, *Special Order Speeches and Other Forms of Non-Legislative Debate in the House*, by (name redacted).

³¹ "The Death of Senator Paul Coverdell, of Georgia," *Congressional Record*, vol. 146, July 18, 2000, p. 15121; and "Death of Senator Quentin N. Burdick," *Congressional Record*, vol. 138, September 8, 1992, p. 23751.

³² *Congressional Record*, daily edition, June 5, 2007, pp. S7017-S7018, quote, p. 7018.

³³ *Congressional Record*, daily edition, June 5, 2007, p. S7096.

³⁴ Senator Wellstone's wife and daughter, along with three campaign aides and two pilots, were also killed in the accident.

³⁵ *Congressional Record*, vol. 148, October 28, 2002, pp. 21241-21246, 21250.

³⁶ *Congressional Record*, vol. 148, November 12, 2002, pp. 21288-21309.

Since 1807, Senators who have died during periods of recess or adjournment have been acknowledged when the Senate reconvened.³⁷ The most recent sitting Senator to die during a recess was Senator Edward Moore (Ted) Kennedy of Massachusetts, who died on August 25, 2009, after an illness. When the Senate met on September 8, Senator Harry Reid of Nevada, the majority leader, asked for a moment of silence in honor of Senator Kennedy.³⁸ Other Senators also offered tributes,³⁹ and the Senate adopted a resolution of condolence.⁴⁰ The Senate also set aside a period for memorial statements on September 10.⁴¹

Resolutions of Condolence

The first resolution of mourning for a sitting Senator appears to have been adopted in 1806. Although the House had taken other, ad hoc actions in the early years of the nation, formal resolutions adopted in response to the death of a sitting Member date back at least to 1827. House precedents and the *Senate Journal* typically refer to resolutions designating the use of crape or other badges of mourning, and authorizing Members to attend funeral services. In the House it was typical to adjourn as a mark of respect for the deceased Member. House resolutions that included expressions of condolences to the family of the deceased Member appear to have been considered in some cases dating to 1864, before becoming more routine beginning around 1899.⁴²

House Practice

In current practice, the House considers a resolution expressing its condolences to the family of a deceased Member. If the House is in session, a resolution is typically introduced within a day of the Member's passing by the senior Member of the state delegation in which the deceased Member served. One hour of debate is allotted for consideration of the measure, equally divided between majority and minority, although in some cases, that time is not used if another memorial is planned under special orders at a later date.⁴³ At the conclusion of debate the resolution of condolence is typically adopted by voice vote or unanimous consent.⁴⁴ In the text of the resolution, the House notes the following:

³⁷ Soon after convening for the 1st session of the 10th Congress, the Senate adopted resolutions of mourning in honor of Senator Abraham Baldwin of Georgia, who died on March 4, 1807, and Senator Uriah Tracy of Connecticut, who died on July 19, 1807. *Senate Journal*, 10th Cong, 1st sess., November 2, 1807 (Washington: Gales and Seaton, 1821), pp. 190-191.

³⁸ Senator Harry Reid, "Moment Of Silence In Honor Of The Late Senator Edward M. Kennedy," Remarks in the Senate, *Congressional Record*, daily edition, September 8, 2009, pp. S9101-S9102.

³⁹ Senator John Kyl, "Remembering Senator Edward Kennedy," remarks in the Senate, *Congressional Record*, September 8, 2009, p. S9111; and Senator Russell Feingold, "Remembering Senator Edward M. Kennedy," remarks in the Senate, *Congressional Record*, September 9, 2009, p. S9126.

⁴⁰ S.Res. 255.

⁴¹ "Remembering Senator Edward M. Kennedy," Remarks in Senate, *Congressional Record*, September 10, 2009, pp. S9195-S9229.

⁴² Hinds, *Hinds' Precedents*, vol. V, pp. 1040-1042, 1054, 1055.

⁴³ See, e.g., "Expressing Sorrow of the House at the Death of the Honorable George E. Brown, Jr., Member of Congress from the State of California," *Congressional Record*, vol. 145, July 16, 1999, pp. 16483-16484.

⁴⁴ See, e.g., "Expressing Sorrow of the House at the Death of the Hon. Sonny Bono, Representative from the State of California," *Congressional Record*, vol. 144, January 27, 1998, pp. 81-91; and "Expressing Sorrow of the House at the Death of the Hon. Norman Sisisky, Representative from the Commonwealth of Virginia," *Congressional Record*, vol. (continued...)

- “The House has heard with profound sorrow of the death of the Honorable _____, a Representative/Delegate/Resident Commissioner from _____”
- the Clerk of the House communicates these Resolutions to the Senate and transmits a copy to the family of the deceased; and
- upon adjournment, the House “adjourn as a further mark of respect to the memory of the deceased.”⁴⁵

In addition, the House sometimes authorizes and directs the House Sergeant at Arms to “take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House,”⁴⁶ or to appoint “a committee of such Members of the House as the Speaker may designate, together with such Members of the Senate as may be joined, be appointed to attend the funeral.”⁴⁷

When a Representative dies, the Senate sometimes adopts a resolution of condolence. **Table 1** summarizes House and Senate resolutions adopted to mark the passing of a sitting Representative since 1973.

Senate Practice

In current practice, the Senate typically considers a resolution expressing its condolences to the family of a deceased Senator and to the citizens of the state the Senator represented. The measure may be introduced by the majority leader, the minority leader, or the surviving Senator from the state the deceased Senator represented. All living, sitting Senators are listed as cosponsors. There may follow a period of debate, particularly if other tributes have not already been offered or a future tribute is scheduled. At the conclusion of debate, the resolution of condolence is typically adopted by unanimous consent.⁴⁸ In the text of the resolution, the Senate typically includes a preamble containing various milestones of the late Senator’s public career, and resolves that

- “The United States Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable _____, a Senator from the State of _____”;

(...continued)

147, March 29, 2001, pp. 4982-4994.

⁴⁵ See, e.g., H.Res. 338, 105th Congress, Expressing the Condolences of the House on the Death of the Honorable Sonny Bono, a Representative from the State of California, adopted January 27, 1998; and H.Res. 157, 107th Congress, Expressing the Condolences of the House of Representatives on the Death of the Honorable John Joseph Moakley, a Representative from the Commonwealth of Massachusetts, adopted June 6, 2001.

⁴⁶ See, e.g., H.Res. 252, 106th Congress, Expressing the Condolences of the House on the Death of the Honorable George E. Brown, Jr., adopted July 16, 1999; and H.Res. 107, 107th Congress, Expressing the Condolences of the House of Representatives on the Death of the Honorable Norman Sisisky, a Representative from the Commonwealth of Virginia, adopted March 29, 2001. This clause may not be necessary since the Sergeant at Arms has statutory authority to assist with funeral preparations. See Funeral section, below.

⁴⁷ See, e.g., H.Res. 159, 110th Congress, Expressing the Condolences of the House of Representatives on the Death of the Honorable Charlie Norwood, a Representative of the State of Georgia, adopted February 4, 2007.

⁴⁸ See, e.g., S.Res. 354, 107th Congress, A resolution relative to the death of Paul Wellstone, a Senator from the State of Minnesota, adopted October 28, 2002; and S.Res. 338, 106th Congress, A resolution relative to the death of the Honorable Paul Coverdell, a Senator from the State of Georgia, adopted July 1, 2000.

- “the Secretary of the Senate shall communicate this resolution to the House of Representatives and transmit an enrolled copy thereof to the family of Senator _____”; and
- “when the Senate adjourns today, it shall stand adjourned as a further mark of respect to the memory of Senator _____.”⁴⁹

In addition to observances of record, a deceased Senator’s desk in the Senate chamber may be draped in black for a brief period.⁵⁰ Additionally, upon the death of a sitting Senator, the majority leader and minority leader may permit a display of flowers to be placed upon the desk of a deceased Senator on the day set aside for eulogies.⁵¹

When a Senator dies, the House sometimes adopts a resolution of condolence. **Table 2** summarizes Senate and House resolutions adopted to mark the passing of a sitting Senator since 1978.

Funeral and Disposition of Remains

Since the earliest days of the republic, some of the expenses of holding funerals of sitting Members, or the procurement of cemetery monuments, have been defrayed in part from public funds. From 1789-1801, it appears that the travel allowances of deceased Members of the House were applied to funeral costs. When Delegate Narsworthy Hunter of Mississippi Territory died on March 11, 1802, a week after the Seventh Congress (1801-1803) convened, the practice of providing a funeral at public expense was first adopted by the House.⁵² On June 5, 1809, the Senate adopted a resolution “that a sum not exceeding one hundred and fifty dollars be applied out of the contingent fund for placing a neat slab or monument with a suitable inscription” over the tomb of Senator Francis Malbone of Rhode Island, who died on March 4.⁵³ On June 15, 1809, the Senate authorized the secretary of the Senate to pay the expenses of Senator Malbone’s funeral, upon allowance and certification “by the committee of arrangement.”⁵⁴

Paying for Member funerals with public funds has not been without controversy. In an 1820 remembrance of Delegate Hunter’s funeral, Representative John Randolph of Virginia noted that since 1802, the practice of funding Member funerals had been “observed and abused.”⁵⁵ In 1848, the subject came up twice within a few weeks. Contrary to precedent, the tenor of those

⁴⁹ In addition, the Senate has expressed its condolences to the people of the state the Senator represented and to his or her family. See, e.g., S.Res. 220, 110th Congress, a resolution honoring the life of Senator Craig Thomas, adopted June 5, 2007.

⁵⁰ Explicit authority to drape a desk in black was not identified. Nevertheless, references to draping of a deceased Senator’s desk were identified in Senate debates regarding the death of Senators Thomas, Wellstone, and Chafee. See, e.g., “Remembering Senator Craig Thomas,” *Congressional Record*, daily edition, June 6, 2007, p. S7106; vol. 148, October 28, 2002, p. 21242; and vol. 145, October 29, 1999, p. 27620.

⁵¹ S.Res. 221, 98th Congress, A Resolution Relative to Flower Displays in the Chamber for Deceased Senators, adopted September 15, 1983. Incorporated as a standing rule of the Senate in U.S. Senate, *Senate Manual*, 107th Cong., 1st sess., S. Doc. 107-1 (Washington: GPO, 2002), p. 97.

⁵² Hinds, *Hinds’ Precedents*, vol. V, p. 1046.

⁵³ *Senate Journal*, vol. IV, June 5, 1809, pp. 380-381.

⁵⁴ *Senate Journal*, vol. IV, June 15, 1809, p. 387.

⁵⁵ Hinds, *Hinds’ Precedents*, vol. V, p. 1046.

discussions was that it was unusual to pay the expenses of a Member's funeral except when it was held in Washington, DC, and that the cost of such ceremonies amounted to an average of \$1,500.⁵⁶

In 1895, the Senate considered S. 236, to provide for disposition of the remains of deceased Members of the House and Senate who died at the Capitol during sessions. Upon the death of a sitting Member in the District of Columbia, the measure would have provided for a committee of Members from the chamber in which the deceased served to prepare the body for transport to family or friends. The measure provided for a specially appointed sergeant at arms to accompany the body to its final destination. S. 236 would have authorized payment for the preparation and transport of a deceased Member and prohibited payment on any other related expenses. In introductory remarks, the bill's sponsor, Senator William Alfred Peffer of Kansas, noted that the costs associated with Member funerals were rising and that the services themselves were "not usually conducted reverently and with that outward deportment which ... ought to characterize the bearing of eminent persons who accompany the remains of a public man." S. 236 was reported by the Committee on Civil Service, but the Senate took no further action.⁵⁷

Finally, some concern was expressed in 1906 after Representative Robert Adams Jr. of Pennsylvania committed suicide and left a letter for Speaker Joseph Cannon indicating that he would accept payment of his funeral expenses, but asked that the House not appoint a committee or hold memorial services.⁵⁸

In contemporary practice, as described below, both chambers may pay for funeral services for Members who die in office. Further, if a deceased Member is buried in the so-called Congressional Cemetery in Washington, DC,⁵⁹ the Sergeant at Arms of the House or Senate, as appropriate, is authorized to pay for a granite monument with suitable inscriptions for the grave site.⁶⁰

House Practice

Subject to any rules and regulations the Committee on House Administration may prescribe, the House Sergeant at Arms is authorized and directed to make necessary arrangements for any committee of Representatives and Senators appointed by their chambers to attend the funeral of a

⁵⁶ Ibid., p. 1047.

⁵⁷ *Congressional Record*, vol. 28, December 12, 1895, pp. 145-150; quote, p. 148.

⁵⁸ Hinds, *Hinds' Precedents*, vol. V, p. 1057. See also "House Is Astounded at 'Bertie' Adams' Suicide," *The Washington Post*, June 2, 1906, p. 2; and "Congressman a Suicide After Losses at Bridge," *The New York Times*, June 2, 1906, p. 1.

⁵⁹ Founded in 1807, the burying ground of Christ Church, Washington Parish, was, for more than 60 years, reportedly "the sole place of burial in Washington for Members of Congress" and other federal government officials, and is often identified, formally and informally, as the Congressional Cemetery. By the 1870s, however, advances in transportation and embalming allowed Members of Congress who died in office to be transported to their home states or districts for interment. A recent history of the burying ground notes that, in the 19th century, 16 Senators, 68 Members of the House, and Vice Presidents Elbridge Gerry and George Clinton were buried there. See Cathleen Breikreutz, *Historic Congressional Cemetery: Developmental History* (Washington: 2003), pp. 7-8, available at the Historic Congressional Cemetery website, <http://www.congressionalcemetery.org/index.html>. A list of Members of Congress who were interred, or for whom a monument has been erected, is available from the organization's website. Some of the Members listed died after their service in Congress concluded.

⁶⁰ 2 U.S.C. 51.

deceased Member of the House. An official congressional delegation does not attend if the family of the deceased Member arranges for private services. The Sergeant at Arms defrays the funeral expenses of the deceased Member and the expenses of duly appointed congressional participants, the widow or widower, and minor children incurred in attending the funeral rites and burial of the deceased Member.⁶¹ Published, publicly available House procedures for the remains of a sitting Member of the House to lie in state in the Capitol have not been identified.⁶²

Senate Practice

While the location of any funeral service is chosen by a deceased Senator's widow, widower, or heirs, the responsibility for official arrangements, including funeral or other services, and for any committee appointed to attend services, rests with the Senate Sergeant at Arms.⁶³ Costs of arrangements made by the office of Sergeant at Arms for the transportation, preparation, and disposition of the remains are paid from the contingent fund of the Senate, subject to regulations of the Committee on Rules and Administration.⁶⁴

⁶¹ 2 U.S.C. 124. Although it is not mentioned in any congressional or statutory authority, the House Sergeant at Arms typically arranges for a wreath from the House to be sent to the site of the funeral.

⁶² Since 1953, Congress has typically adopted a concurrent resolution authorizing the use of the Capitol Rotunda for services or for the remains of a government official or prominent citizen to lie in the Capitol. If Congress is not in session, the use of Capitol facilities has in the past been authorized by the Speaker of the House and the majority leader of the Senate. The most recent Member of Congress to lie in the Capitol was Representative Claude Denson Pepper of Florida, June 1-2, 1989. Prior to his House service, Representative Pepper served as a Senator. See H.Con.Res. 139, 101st Congress, Authorizing the Use of the Rotunda of the Capitol for the Lying in State of the Remains of the Late Honorable Claude Pepper, adopted May 31, 1989; and the AOC website, "Those Who Have Lain in State or in Honor in the Capitol Rotunda," at http://www.aoc.gov/cc/capitol/lain_in_state.cfm. See CRS Report RL34619, *Use of the Capitol Rotunda, Capitol Grounds, and Emancipation Hall: Concurrent Resolutions, 101st to 112th Congress*, by Matthew Eric Glassman and (name redacted), for detailed information on the use of Capitol facilities.

⁶³ S.Res. 458, 98th Congress, adopted October 4, 1984, as amended. The measure is incorporated as a standing rule of the Senate in U.S. Senate, *Senate Manual*, pp. 100-103.

⁶⁴ Arrangements may include ordinary and necessary expenses for the following:

Transportation of remains to the mortuary.

Complete preparation and care of the remains.

Automotive equipment, including limousine service for the immediate family, pallbearers, and the funeral coach.

Funeral home expenses for the receipt, care, and arrangement of floral tributes and a supply of acknowledgment cards. Floral expenses themselves are deemed personal in nature and are not considered an official expense, with the exception of one floral arrangement from the United States Senate.

Preparation of newspaper notices.

Procuring and executing the required certificates and permits.

Fees for use of a church, synagogue or other place of service.

Cremation fees, including an urn.

Interment fees or charges for grave services.

Burial vault and casket. Casket expense may not exceed \$5,000.

One burial plot, not to exceed \$2,000, if not previously purchased by the family, and a temporary marker. Permanent grave markers or headstones are personal items and are not authorized by committee regulations to be paid from appropriated funds.

Miscellaneous expenses directly related to the funeral, including fees for clergy or musicians, not to exceed \$2,500 in the aggregate. Expenses of a personal nature including food, flowers, or cards are not authorized by committee regulations to be paid from appropriated funds.

(continued...)

If there is a request for the remains to lie in state in the Capitol Rotunda, the *Senate Handbook* indicates that a decision is made by the leadership of the Senate and the House, and the Architect of the Capitol. Since 1953, Congress has typically adopted a concurrent resolution authorizing the use of the Capitol Rotunda for services or for the remains of a government official or prominent citizen to lie in the Capitol. If Congress is not in session, the use of Capitol facilities has in the past been authorized by the Speaker of the House and the majority leader of the Senate. If the deceased does lie in state, the *Senate Handbook* notes that the Architect of the Capitol makes arrangements with the Department of Defense for an honor guard. If there is to be a ceremony at the Capitol, the Senate Sergeant at Arms makes the necessary arrangements.⁶⁵

Deceased Member's Office, Staff, and Survivor Benefits

House Practice

On the first business day after the death of a Member of the House, his or her office is renamed the Office of the ___ Congressional District of State/Territory. Pursuant to House Rule II, cl.2(i)(1),⁶⁶ staff on payroll of the congressional office at the time of the Member's death remain employed by the House, and carry out their duties under the supervision of the Clerk of the House until a successor is elected.⁶⁷

By law, any unpaid balance of salary or other sums due to a deceased Representative or Resident Commissioner are to be paid to their beneficiaries.⁶⁸ In addition, it has been the typical practice of

(...continued)

The Senate Handbook notes that any request for exceptions must be made to the Sergeant at Arms and approved by the Committee on Rules and Administration. U.S. Senate, Committee on Rules and Administration, *United States Senate Handbook*, November 2006, pp. I-92–I-93.

⁶⁵ U.S. Senate, *United States Senate Handbook*, p. I-92; *Biographical Directory of the United States Congress, 1774–Present*, at <http://bioguide.congress.gov/biosearch/biosearch.asp>; and Architect of the Capitol website, “Those Who Have Lain in State or in Honor in the Capitol Rotunda,” at http://www.aoc.gov/cc/capitol/lain_in_state.cfm. Six Senators who died in office have lain in state in the Capitol. Hubert Horatio Humphrey of Minnesota, January 14–15, 1978; Everett McKinley Dirksen of Illinois, September 9–10, 1969; Robert Alphonso Taft of Ohio, August 2–3, 1953; John Alexander Logan of Illinois, December 30–31, 1886; Charles Sumner of Massachusetts, March 13, 1874; and Henry Clay of Kentucky, July 1, 1852.

⁶⁶ House Rule II, cl. 2(i)(1) provides that “[t]he Clerk shall supervise the staff and manage the office of a Member, Delegate, or Resident Commissioner who has died, resigned, or been expelled until a successor is elected.” 2 U.S.C. 92a, on the other hand, provides that staff of a deceased Member of the House or Senate are continued on the payroll for 30 days. As Article 1, Section 5, clause 2 of the Constitution provides that “[e]ach House may determine the Rules of its Proceedings,” House Rule II, cl.2(i)(1) arguably provides the House with sufficient authority to take actions related to its administrative operations beyond the scope of the limitations specified in 2 U.S.C. 92.

⁶⁷ A new Member of the House would have authority to hire staff, and is not required to retain staff members of the deceased Member.

⁶⁸ 2 U.S.C. 38a. Payment of unpaid salary is disbursed in the following order: (1) to the beneficiary or beneficiaries designated in writing by Member prior to his or her demise, and filed with the House Chief Administrative Officer (CAO); (2) if there is no such beneficiary, to the widow or widower; (3) if there is no beneficiary or surviving spouse, to the child or children of the deceased Member, and descendants of deceased children, by representation; (4) if none of the above, to the parents of the deceased Member, or their survivors; (5) if there are none of the above, to the duly appointed legal representative of the estate of the deceased Member; or if there is none, (6) to the person or persons determined to be entitled under the laws of the domicile of the deceased Member.

the House to provide a death gratuity,⁶⁹ equal to the Member's annual salary, payable to the deceased Member's widow or widower, or children,⁷⁰ either in the annual legislative branch appropriations act or a measure providing supplemental funds for the legislative branch. By statute, a death gratuity is considered a gift.⁷¹

Senate Practice

Employees in the personal office of a deceased sitting Senator⁷² are continued on the Senate payroll at their respective salaries for up to 60 days after the Senator's death, unless the Senator's term of office expires sooner.⁷³ The Committee on Rules and Administration may extend this period in cases where it will take longer to close a deceased Senator's office. Employee duties are performed under the direction of the Secretary of the Senate.⁷⁴

An amount equal to one-tenth of the official office expense account portion of the Senator's Official Personnel and Office Expense Account⁷⁵ is available to the Secretary of the Senate to defray those expenses directly related to closing a Senator's office. Expenses are paid from the Contingent Fund of the Senate as Miscellaneous Items. The Senate Financial Clerk provides information concerning allowances for the operation of the deceased Senator's office during the 60-day period.⁷⁶

A deceased Senator is removed from the Senate payroll as of the date of death. The Employee Benefits Section of the Senate Disbursing Office ascertains any benefits⁷⁷ due to a beneficiary previously identified by the Senator, or the widow or widower or other relevant survivors.⁷⁸ The *Senate Handbook* indicates that "[i]n the next Appropriation Bill, an item will be inserted for a

⁶⁹ Cannon, *Cannon's Precedents*, vol. VI, p. 380; and Lewis Deschler, *Deschler's Precedents of the United States House of Representatives*, vol. II, H.Doc. 94-661, 94th Cong., 2nd sess. (Washington: GPO, 1977), p. 52.

⁷⁰ The CAO Office of Finance notifies the Committee on Appropriations of the names of the deceased Member's heirs.

⁷¹ 2 U.S.C. 38b.

⁷² Employees of Senators who die while holding the office of President pro tempore, Deputy President pro tempore, President pro tempore emeritus, majority leader, minority leader, majority whip, minority whip, secretary of the Conference of the Majority, secretary of the Conference of the Minority, the chairman of the Conference of the Majority, the chairman of the Conference of the Minority, the chairman of the majority Policy Committee, or the chairman of the minority Policy Committee, are also continued in their positions at their respective salaries for up to 60 days, subject to the same limitations of employees working in personal offices.

⁷³ See also, CRS Report RL34553, *Closing a Congressional Office: Overview and Guide to House and Senate Practices*, by (name redacted).

⁷⁴ S.Res. 458, 98th Congress, adopted October 4, 1984, as amended. Incorporated as a standing rule of the Senate in U.S. Senate, *Senate Manual*, pp. 100-103. 2 U.S.C. 92a, on the other hand, provides that staff of a deceased Member of the House or Senate are continued on the payroll for 30 days. As Article 1, Section 5, clause 2 of the Constitution provides that "[e]ach House may determine the Rules of its Proceedings," S.Res. 458, as amended, arguably provides the Senate with sufficient authority to take actions related to its administrative operations beyond the scope of the limitations specified in 2 U.S.C. 92.

⁷⁵ Senators have three official allowances available to them for personnel and official office expenses. They are the administrative and clerical assistance allowance, the legislative assistance allowance, and the official office expense allowance. The three allowances are funded together in a "Senators' Official Personnel and Office Expense Account," within the "Contingent Expenses of the Senate" in the annual legislative branch appropriations bill. For further information, see CRS Report RL30064, *Congressional Salaries and Allowances*, by (name redacted).

⁷⁶ U.S. Senate, *United States Senate Handbook*, p. I-91.

⁷⁷ Benefits may include pay, retirement, life insurance, and health insurance.

⁷⁸ 2 U.S.C. 36a.

gratuity to be paid to the widow(er) or other next-of-kin, in the amount of one year's compensation."⁷⁹ By statute, a death gratuity is considered a gift.⁸⁰

Publication of Memorials

House Practice

At the conclusion of a Congress in which a sitting Member of the House, or former Member who served as Speaker, dies, the Government Printing Office (GPO), subject to the direction of the Joint Committee on Printing, compiles, prepares, and prints, with illustrations, a tribute book. The book contains the legislative proceedings of Congress, and the exercises at the general memorial services held in the House in tribute to the deceased Member or former Speaker, together with all relevant memorial addresses and eulogies published in the *Congressional Record* during the same session of Congress, and any other matter the Joint Committee considers relevant. Under the law, 50 copies, bound in full morocco, with gilt edges, and suitably lettered as may be requested, may be delivered to the family of the deceased.⁸¹ Further copies may be distributed to Members of Congress.⁸²

Senate Practice

The Senate may adopt a resolution ordering the printing of tributes to a deceased Senator be printed as a Senate document.⁸³

Previous Senate Observances of the Death of a Sitting Senator

Table 3 provides examples of Senate observances held to mark the passing of 28 Senators who died during their Senate service. Each Senator listed meets one or more of the following criteria:⁸⁴

⁷⁹ U.S. Senate, United States Senate Handbook, p. I-92.

⁸⁰ 2 U.S.C. 38b.

⁸¹ 44 U.S.C. 723. According to GPO, morocco-bound copies of memorials are no longer provided. E-mail communication with GPO staff, October 23, 2009.

⁸² 44 U.S.C. 723. Copies of memorials are authorized to be sent as follows: one copy of all eulogies on the deceased Members of Congress to the Vice President and each Senator, Representative, and Resident Commissioner in Congress. Additionally, for a deceased Senator, 250 copies of eulogies are furnished to each Senator of the state represented by the deceased, with 20 copies for each of the other Representatives, or Resident Commissioner of the state, or insular possession. For a deceased Representative or Resident Commissioner, 250 copies of eulogies are furnished to his or her successor in office; 20 copies for each of the other Representatives, or Resident Commissioner of the state, or insular possession represented by the deceased; and 20 copies for each Senator from that state. In current practice GPO does not produce printed copies at the fully authorized level, pursuant to congressional guidance. See CRS Report R40897, *Congressional Printing: Background and Issues for Congress*, by (name redacted) and (name redacted) for further discussion.

⁸³ See, e.g., "Order for Printing and Submission of Tributes to Senator Craig Thomas," *Congressional Record*, daily edition, June 14, 2007, p. S7776; and "Printing of a Senate Document," *Congressional Record*, vol. 148, November 12, 2002, p. 21309.

- service as President Pro Tempore of the Senate at the time of their death;⁸⁵
- laid in state in the Rotunda of the United States Capitol;⁸⁶
- inclusion as one of the “Famous Nine” Senators designated by the Senate at various times, and who died in office;⁸⁷ or
- 14 of the sitting Senators whose passing was observed with services on the Senate floor during the 20th century.⁸⁸

Table 3 also provides a selection of actions approved by Congress or adopted by the Senate to honor the deceased Senators.⁸⁹

Observances held soon after a Senator’s death were sometimes held pursuant to Senate resolution in the case of services in the Senate, and concurrent resolution or bicameral agreement in the case of lying in state in the Capitol Rotunda.⁹⁰ In other instances, observances were held in the Senate

(...continued)

⁸⁴ The Congressional Research Service takes no position on what might distinguish the service of one Senator over another, or why the Senate might choose to observe the deaths of different Senators in different ways.

⁸⁵ Robert Carlyle Byrd of West Virginia, who died June 28, 2010; Richard B. Russell, Jr., of Georgia, who died January 21, 1971; Byron Patton (Pat) Harrison of Mississippi who died June 22, 1941; Key Pittman of Nevada, who died November 10, 1940; James P. Clark of Arkansas, who died October 1, 1916; and Thomas J. Rusk of Texas, who died July 29, 1857.

⁸⁶ Hubert Horatio Humphrey of Minnesota, who died January 14, 1978; Everett McKinley Dirksen of Illinois, who died September 7, 1969; Robert Alphonso Taft of Ohio, who died July 31, 1939; John Alexander Logan of Illinois, who died December 26, 1886; Charles Sumner of Massachusetts, who died March 11, 1874; and Henry Clay of Kentucky, who died June 29, 1852. Five former Senators have lain in state in the Capitol Rotunda. They are Warren Gamaliel Harding of Ohio, John Fitzgerald Kennedy of Massachusetts, Lyndon Baines Johnson of Texas, who each served as President of the United States after their Senate service; Henry Wilson of Massachusetts, who served as Vice President of the United States after his service in the Senate; and Claude Denson Pepper of Florida, who served as Representative after his Senate service.

⁸⁷ Five Senators designated among the “Famous Nine” and who died in office are included: Arthur Hendrick Vandenberg of Michigan, who died April 18, 1951; Robert Marion La Follette of Wisconsin, who died June 18, 1925; Henry Clay of Kentucky, who died June 29, 1852; John Caldwell Calhoun of South Carolina, who died March 31, 1850; and Roger Sherman of Connecticut, who died July 23, 1793. Robert Ferdinand Wagner of New York, who died May 4, 1953; Robert Alphonso Taft of Ohio, who died July 31, 1939; Daniel Webster of New Hampshire, who died October 25, 1852; Oliver Ellsworth of Connecticut, who died November 26, 1807; are included among the Famous Nine but died after they completed their Senate service. For discussion see U.S. Senate website, “The Famous Five Now the Famous Nine,” at http://www.senate.gov/artandhistory/history/common/briefing/Famous_Five_Seven.htm.

⁸⁸ William Langer of North Dakota, who died November 8, 1959; Joseph Raymond McCarthy of Wisconsin, who died May 2, 1957; Byron Patton (Pat) Harrison of Mississippi, who died June 22, 1941; William Edgar Borah of Idaho, who died January 19, 1940; Joseph Taylor Robinson of Arkansas, who died July 14, 1939; James Hamilton Lewis of Illinois, who died April 9, 1939; Thomas James Walsh of Montana, who died March 2, 1939; William Julius Harris of Georgia, who died April 18, 1932; Lee Slater Overman of North Carolina, who died December 12, 1930; Francis Emroy Warren of Wyoming, who died November 24, 1929; Theodore Elijah Burton of Ohio, who died October 28, 1928; Augustus Octavius Bacon of Georgia, who died February 14, 1914; William Brimage Bate of Tennessee, who died March 9, 1905; and Marcus Alonzo Hanna of Ohio, who died February 15, 1904. Other Senators listed for other reasons for whom services were held in the Senate chamber include John Alexander Logan of Illinois, who died December 26, 1886; Charles Sumner of Massachusetts, who died March 11, 1874; and Henry Clay of Kentucky, who died June 29, 1852.

⁸⁹ The list may not be complete. It does not include the naming of United States Navy ships, or other monuments or memorials established by executive branch authorities, states or municipalities, or private entities.

⁹⁰ Since 1953, Congress has typically adopted a concurrent resolution authorizing the use of the Capitol Rotunda for services or for the remains of a government official or prominent citizen to lie in the Capitol. If Congress is not in session, the use of Capitol facilities has in the past been authorized by the Speaker of the House and the majority leader (continued...)

or Capitol without formal legislative action. Regardless of the formal authorization processes, it is not possible to ascertain how those decisions were made; in each case, however, it is arguable that some of the Senators expressed advanced interest in various observances to mark their deaths, or their families or staff expressed interest or approval of Senate actions after their deaths. It appears likely that any future Senate observances could be based on the following:

- past Senate practices;
- the wishes a Senator expressed prior to his or her demise;
- family considerations;
- the intended locations of any observances;
- pending congressional business at the time of the Member's death; and
- events external to Congress.

Where procedures for observances in the Capitol Rotunda appear to be well established, the Senate floor has not been used for observances related to the death of a sitting Senator in more than 50 years. Questions related to security, crowd control, and the preservation of furniture, artwork, and other fixtures may arise if proposed observances include exercises in the Senate chamber.

In addition to any observances that might be held in Washington, DC, services may be held in the state a deceased Senator represented, and might include the following activities:

- public or private viewing or calling hours;
- lying in honor in the state capitol, land grant university, or significant federal facility created during the Senator's term of office;
- public or private funeral or memorial services;
- funeral procession; and
- interment or inurnment.

As with Washington, DC-based observances, Senate participation will likely be determined in consultation with the family of the deceased.

(...continued)

of the Senate. The most recent Member of Congress to lie in the Capitol was Representative Claude Denson Pepper of Florida, June 1-2, 1989. Prior to his House service, Representative Pepper served as a Senator. See H.Con.Res. 139, 101st Congress, Authorizing the Use of the Rotunda of the Capitol for the Lying in State of the Remains of the Late Honorable Claude Pepper, adopted May 31, 1989; and the AOC website, "Those Who Have Lain in State or in Honor in the Capitol Rotunda," at http://www.aoc.gov/cc/capitol/lain_in_state.cfm. See CRS Report RL34619, *Use of the Capitol Rotunda, Capitol Grounds, and Emancipation Hall: Concurrent Resolutions, 101st to 112th Congress*, by Matthew Eric Glassman and (name redacted), *Use of the Capitol Rotunda, Capitol Grounds, and Emancipation Hall: Concurrent Resolutions, 101st to 111th Congress*, by Matthew Eric Glassman and (name redacted), for detailed information on the use of Capitol facilities.

**Table I. Members of the House Who Died in Office, and
Resolutions of Condolence Adopted in the House and Senate, 1973-2012**

| Name | State | Date of Death | Congress | House Resolution | Senate Resolution |
|--|----------------|----------------------|-------------------|---|--------------------------|
| Donald Milford Payne ^a | New Jersey | 3/6/2012 | 112 th | H.Res. 571, 3/6/12 | S.Res. 390, 3/7/12 |
| John Patrick Murtha, Jr. | Pennsylvania | 2/8/2010 | 111 th | H.Res. 1084, 2/22/10 | S.Res. 413, 2/9/10 |
| Stephanie Tubbs Jones ^b | Ohio | 8/20/2008 | 110 th | H.Res. 1415, 9/8/08 | S.Res. 654, 9/10/08 |
| Thomas Peter Lantos ^c | California | 2/11/2008 | 110 th | H.Res. 975, 2/12/08 | S.Res. 446, 2/11/08 |
| Julia May Carson | Indiana | 12/15/2007 | 110 th | H.Res. 880, 12/17/07 | S.Res. 407, 12/17/07 |
| Jo Ann Davis | Virginia | 10/6/2007 | 110 th | H.Res. 717, 10/6/07 | – |
| Paul E. Gillmor | Ohio | 9/5/2007 | 110 th | H.Res. 632, 9/5/07 | – |
| Juanita Millender-McDonald | California | 4/22/2007 | 110 th | H.Res. 328, 4/23/07 | – |
| Charles W. (Charlie) Norwood, Jr. | Georgia | 2/13/2007 | 110 th | H.Res. 159, 2/14/07 | S.Res. 79, 2/13/07 |
| Robert T. Matsui ^d | California | 1/1/2005 | – ^e | H.Res. 11, 1/4/05 109 th Congress | – |
| Patsy T. Mink ^f | Hawaii | 9/28/2002 | 107 th | H.Res. 566, 10/1/02 | S.Res. 331, 9/30/02 |
| Floyd D. Spence | South Carolina | 8/16/2001 | 107 th | H.Res. 234, 9/5/01 | – |
| John Joseph Moakley ^g | Massachusetts | 5/28/2001 | 107 th | H.Res. 157, 6/6/01 | – |
| Norman Sisisky | Virginia | 3/29/2001 | 107 th | H.Res. 107, 3/29/01 | – |
| Julian C. Dixon ^h | California | 12/8/2000 | 106 th | H.Res. 671, 12/8/00 | S.Res. 387, 12/11/00 |
| Bruce F. Vento | Minnesota | 10/10/2000 | 106 th | H.Res. 618, 10/10/2000 | S.Res. 369, 10/10/00 |
| Herbert H. Bateman | Virginia | 9/11/2000 | 106 th | H.Res. 573, 9/12/2000 | S.Res. 352, 9/11/2000 |
| George E. Brown, Jr. ⁱ | California | 7/16/1999 | 106 th | H.Res. 252, 7/16/99 | – |
| Steven H. Schiff | New Mexico | 3/25/1998 | 105 th | H.Res. 395, 3/25/98 | – |
| Sonny Bono ^j | California | 1/5/1998 | 105 th | H.Res. 338, 1/27/1998 | – |
| Walter H. Capps | California | 10/28/1997 | 105 th | H.Res. 286, 10/29/97 | – |
| Frank M. Tejeda ^k | Texas | 1/30/1997 | 105 th | H.Res. 35, 2/4/97 | S.Res. 49, 2/4/97 |
| Norvell W. (Bill) Emerson ^l | Missouri | 6/22/1996 | 104 th | H.Res. 459, 6/25/96 | – |
| Dean A. Gallo | New Jersey | 11/6/1994 | 103 rd | H.Res. 587, 11/29/94 | – |

| Name | State | Date of Death | Congress | House Resolution | Senate Resolution |
|---|----------------|----------------------|-------------------|---|--------------------------|
| William H. Natcher ^m | Mississippi | 3/29/1994 | 103 rd | H.Res. 400, 4/12/94 | — |
| Paul B. Henry | Michigan | 7/31/1993 | 103 rd | H.Res. 232, 8/2/93 | — |
| Walter B. Jones | North Carolina | 9/15/1992 | 102 nd | H.Res. 567, 9/15/92 | — |
| Theodore S. (Ted) Weiss | New York | 9/14/1992 | 102 nd | H.Res. 564, 9/14/92 | — |
| Silvio O. Conte ⁿ | Massachusetts | 2/8/1991 | 102 nd | H.Res. 76, 2/20/91 | S.Res. 59, 2/21/91 |
| Larkin I. Smith | Mississippi | 8/13/1989 | 101 st | H.Res. 232, 9/6/89 | S.Res. 177, 9/13/89 |
| George T. (Mickey) Leland | Texas | 8/7/1989 | 101 st | H.Res. 233, 9/6/89 | S.Res. 176, 9/13/89 |
| Claude D. Pepper ^o | Florida | 5/30/1989 | 101 st | H.Res. 163, 5/31/89 | S.Res. 137, 5/31/89 |
| William (Bill) Flynt Nichols | Alabama | 12/13/1988 | — ^p | H.Res. 16, 1/3/89 101 st Congress | — |
| John James Duncan | Tennessee | 6/22/1988 | 100 th | H.Res. 481, 6/22/88 | S.Res. 446, 6/23/88 |
| Charles Melvin Price | Illinois | 4/22/1988 | 100 th | H.Res. 434, 4/25/88 | S.Res. 419, 4/25/88 |
| James John Howard | New Jersey | 3/25/1988 | 100 th | H.Res. 414, 3/28/88 | S.Res. 401, 3/28/88 |
| Wilbur Clarence (Dan) Daniel | Virginia | 1/23/1988 | 100 th | H.Res. 349, 1/25/88 | S.Res. 375, 2/2/88 |
| Stewart Brett McKinney | Connecticut | 5/7/1987 | 100 th | H.Res. 161, 5/7/87 | S.Res. 209, 5/8/87 |
| Sala Galante Burton | California | 2/1/1987 | 100 th | H.Res. 60, 2/2/87 | S.Res. 96, 2/2/87 |
| John Grotberg | Illinois | 11/15/1986 | — ^q | — | — |
| George Miller O'Brien | Illinois | 7/17/1986 | 99 th | H.Res. 500, 7/17/86 | S.Res. 449, 7/21/86 |
| Joseph Patrick Addabo | New York | 4/10/1986 | 99 th | H.Res. 416, 4/14/86 | S.Res. 382, 4/14/86 |
| Gillis William Long | Louisiana | 1/20/1985 | 99 th | H.Res. 29, 1/22/85 | S.Res. 39, 1/21/85 |
| Carl Dewey Perkins | Kentucky | 8/3/1984 | 98 th | H.Res. 566, 8/6/84 | S.Res. 428, 8/6/84 |
| Edwin Bell Forsythe | New York | 3/29/1984 | 98 th | H.Res. 474, 3/29/84 | S.Res. 363, 3/29/84 |
| Clement John Zablocki | Wisconsin | 12/3/1983 | 98 th | H.Res. 389, 1/23/84 | S.Res. 307, 1/23/84 |
| Lawrence Patton "Larry" McDonald | Georgia | 9/1/1983 | 98 th | H.Res. 307, 9/12/83 | S.Res. 212, 9/12/83 |
| Phillip Burton ^r | California | 4/10/1983 | 98 th | H.Res. 157, 4/11/83 | S.Res. 109, 4/12/83 |
| Benjamin Stanley Rosenthal ^s | New York | 1/4/1983 | 98 th | H.Res. 28, 1/6/83 | S.Res. 19, 1/27/83 |
| Adam Benjamin Jr. | Indiana | 9/7/1982 | 97 th | H.Res. 579, 9/8/82 | S.Res. 457, 9/8/82 |

| Name | State | Date of Death | Congress | House Resolution | Senate Resolution |
|--------------------------|---------------|---------------|------------------|---|----------------------|
| John Milan Ashbrook | Ohio | 4/24/1982 | 97 th | H.Res. 436, 4/26/82 | S.Res. 375, 4/26/82 |
| William Ross Cotter | Connecticut | 9/8/1981 | 97 th | H.Res. 206, 9/9/81 | S.Res. 208, 9/1/81 |
| Tennyson Guyer | Ohio | 4/12/1981 | 97 th | H.Res. 128, 4/27/81 | S.Res. 117, 4/27/81 |
| Harold Lowell Runnels | New Mexico | 8/5/1980 | 96 th | H.Res. 761, 8/18/80 | S.Res. 505, 8/19/80 |
| John Mark Slack, Jr. | West Virginia | 3/17/1980 | 96 th | H.Res. 611, 3/18/80 | S.Res. 386, 3/19/80 |
| William Albert Steiger | Wisconsin | 12/4/1978 | — ^t | H.Res. 12, 1/15/79 96 th Congress | S.Res. 16, 1/18/79 |
| Leo Joseph Ryan | California | 11/18/1978 | — ^u | H.Res. 11, 1/15/79 96 th Congress | S.Res. 17, 1/18/79 |
| Goodloe Edgar Byron | Maryland | 10/11/1978 | 95 th | — | — |
| Ralph Harold Metcalfe | Illinois | 10/10/1978 | 95 th | H.Res. 1422, 10/10/78 | S.Res. 583, 10/10/78 |
| William Matthew Ketchum | California | 6/24/1978 | 95 th | H.Res. 1249, 6/26/78 | S.Res. 493, 6/26/78 |
| Clifford Robertson Allen | Tennessee | 6/18/1978 | 95 th | H.Res. 1241, 6/19/78 | S.Res. 490, 6/23/78 |
| Jerry Lon Litton | Missouri | 8/3/1976 | 94 th | H.Res. 1461, 8/4/76 | S.Res. 509, 8/4/76 |
| Torbert H. MacDonald | Massachusetts | 5/21/1976 | 94 th | H.Res. 1212, 5/24/76 | S.Res. 452, 5/24/76 |
| William Aloysius Barrett | Pennsylvania | 4/12/1976 | 94 th | H.Res. 1154, 4/13/76 | S.Res. 433, 4/14/76 |
| Wright Patman | Texas | 3/7/1976 | 94 th | H.Res. 1080, 3/8/76 | S.Res. 402, 3/19/76 |
| Jerry Lyle Pettis | California | 2/14/1976 | 94 th | H.Res. 171, 2/17/75 | S.Res. 81, 2/17/75 |
| John Carl Kluczynski | Illinois | 1/26/1975 | 94 th | H.Res. 97, 1/27/75 | S.Res. 34, 1/27/75 |
| John Phillips Saylor | Pennsylvania | 10/28/1973 | 93 rd | H.Res. 667, 10/29/73 | S.Res. 193, 10/30/73 |
| William Oswald Mills | Maryland | 5/24/1973 | 93 rd | H.Res. 411, 5/24/73 | S.Res. 119, 5/29/73 |

Source: CRS “Changes in the Membership of the 101st—112th Congress” lists; Roll Call “Departures” lists, Biographical Directory of the United States Congress, <http://bioguide.congress.gov/biosearch/biosearch.asp>, and the Legislative Information System (LIS). In the Resolutions columns, “—” indicates no resolution was identified.

- a. Memorial service held in Statuary Hall of the United States Capitol, April 25, 2012.
- b. Memorial service held in Statuary Hall of the United States Capitol, September 10, 2008.
- c. Memorial service held in Statuary Hall of the United States Capitol, February 14, 2008.
- d. Memorial service held in Statuary Hall of the United States Capitol, January 5, 2005.
- e. Died after adjournment of the 108th Congress (2003-2004), and before the 109th Congress (2005-2006) convened.

- f. Posthumously reelected to 108th Congress (2003-2004).
- g. Memorial service held in Statuary Hall of the United States Capitol, June 13, 2001.
- h. Reelected to the 107th Congress (2001-2002), but died before it convened.
- i. Memorial service held in Statuary Hall of the United States Capitol, July 30, 1999.
- j. Memorial service held in Statuary Hall of the United States Capitol, April 31, 1998.
- k. Memorial service held in Statuary Hall of the United States Capitol, January 28, 1998.
- l. Memorial service held in Statuary Hall of the United States Capitol, March 5, 1997.
- m. Memorial service held in Statuary Hall of the United States Capitol, May 4, 1994.
- n. Memorial service held in Statuary Hall of the United States Capitol, February 27, 1991.
- o. Served in the Senate prior to service in the House. Laid in state in the Capitol Rotunda, June 1-2, 1989 (authorized by H.Con.Res. 139, 101st Congress).
- p. Died after adjournment of the 100th Congress (1989-1990), and before the 101st Congress (1991-1992) convened.
- q. Died after adjournment of the 99th Congress (1985-86).
- r. Joint memorial service, honoring Representative Burton and Representative Benjamin Stanley Rosenthal held in Statuary Hall of the United States Capitol, June 27, 1983.
- s. Joint memorial service, honoring Representative Rosenthal and Representative Phillip Burton held in Statuary Hall of the United States Capitol, June 27, 1983.
- t. Died after adjournment of the 95th Congress (1977-78), and before the 96th Congress (1979-80) convened.
- u. Died after adjournment of the 95th Congress (1977-78), and before the 96th Congress (1979-80) convened.

Table 2. Senators Who Died in Office, and Resolutions of Condolence Adopted in the Senate and House, 1978-2010

| Name | State | Date of Death | Congress | Senate Resolution | House Resolution |
|---|----------------|---------------|-------------------|----------------------------------|----------------------|
| Robert Carlyle Byrd ^a | West Virginia | 6/28/2010 | 111 th | S.Res. 572, 6/28/10 | H.Res. 1484, 6/29/10 |
| Edward Moore (Ted) Kennedy ^b | Massachusetts | 8/25/2009 | 111 th | S.Res. 255, 9/8/09 | – |
| Craig Lyle Thomas | Wyoming | 6/4/2007 | 110 th | S.Res. 220, 6/4/07 | H.Res. 454, 6/5/07 |
| Paul David Wellstone | Minnesota | 10/25/2002 | 107 th | S.Res. 354, 10/28/02 | H.Res. 598, 11/12/02 |
| Paul Coverdell | Georgia | 7/18/2000 | 106 th | S.Res. 338, 7/18/00 | H.Res. 558, 7/19/00 |
| John Hubbard Chafee | Rhode Island | 10/24/1999 | 106 th | S.Res. 206, 10/25/99 | H.Res. 341, 10/25/99 |
| Quentin Northrup Burdick | North Dakota | 9/8/1992 | 102 nd | S.Res. 338, 9/8/92 | H.Res. 559, 9/9/92 |
| Henry John Heinz, III | Pennsylvania | 4/4/1991 | 102 nd | S.Res. 92, 4/9/91 | H.Res. 119, 4/9/91 |
| Spark Masayuki Matsunaga | Hawaii | 4/15/1990 | 101 st | S.Res. 271, 4/18/90 | H.Res. 377, 4/18/90 |
| Edward Zorinsky | Nebraska | 3/6/1987 | 100 th | S.Res. 163, 3/10/86 | H.Res. 115, 3/10/87 |
| John Porter East | North Carolina | 6/29/1986 | 99 th | S.Res. 442, 7/14/86 | H.Res. 491, 7/15/86 |
| Henry Martin (Scoop) Jackson | Washington | 9/1/1983 | 98 th | S.Res. 209, 9/12/83 ^c | H.Res. 306, 9/12/83 |
| James Browning Allen | Alabama | 6/1/1978 | 95 th | S.Res. 472, 5/5/78 ^d | H.Res. 1216, 6/15/78 |
| Hubert Horatio Humphrey, Jr. ^e | Minnesota | 1/13/1978 | 95 th | S.Res. 350, 1/19/78 ^f | H.Res. 951, 1/19/78 |
| Lee Metcalf | Montana | 1/12/1978 | 95 th | S.Res. 348, 1/19/78 ^g | H.Res. 950, 1/19/78 |

Sources: CRS “Changes in the Membership of the 101st–111th Congress” lists; Roll Call “Departures” lists; Biographical Directory of the United States Congress, <http://bioguide.congress.gov/biosearch/biosearch.asp>; and the Legislative Information System (LIS).

- a. President Barack Obama ordered the flag of the United States to be lowered to half staff “as a mark of respect for the memory and longstanding service of Senator Robert C. Byrd...” U.S. President (Obama), “Presidential Proclamation—Passing of Robert Byrd,” June 30, 2010, available at <http://www.whitehouse.gov/the-press-office/presidential-proclamation-passing-robert-byrd>.
- b. President Barack Obama ordered the flag of the United States to be lowered to half staff “as a mark of respect for the memory of Senator Edward M. Kennedy...” U.S. President (Obama), “Proclamation 8403—Death of Senator Edward M. Kennedy,” *Daily Compilation of Presidential Documents*, August 26, 2009, p. 1, available at <http://www.gpoaccess.gov/presdocs/2009/DCPD-200900667.pdf>.
- c. The same day, the Senate also passed S.Res. 210, authorizing funeral delegation expenses.
- d. The same day, the Senate also passed S.Res. 473, authorizing funeral delegation expenses.
- e. President Jimmy Carter ordered the flag of the United States to be lowered to half staff as a “special mark of respect to the memory” of Senator Humphrey. U.S. President (Carter), “Proclamation 454, Death of Hubert H. Humphrey,” *Public Papers of the Presidents of the United States: Jimmy Carter, 1978*, vol. 1 (Washington: GPO, 1979), p. 80.
- f. The same day, the Senate also passed S.Res. 351, authorizing funeral delegation expenses.
- g. The same day, the Senate also passed S.Res. 349, authorizing funeral delegation expenses.

Table 3. Observances by Congress of the Deaths of Selected Senators, 1793-2010

| Name | State | Date of Death | Dates of Service | President Pro Tempore | Laid in Rotunda | Senate Chamber Observance | Famous Nine | Subsequent Observances ^a |
|--|-------|---------------|------------------------|-----------------------|-----------------|---------------------------|-------------|--|
| Robert Carlyle Byrd ^b | WV | 6/28/2010 | 1959-2010 | X | | X | | President ordered flags to fly at half-staff. ^c |
| Hubert Horatio Humphrey ^d | MN | 1/14/1978 | 1949-1964 1970-1978 | | X | | | President ordered flags to fly at half-staff. ^e Congressional Gold Medal, approved June 13, 1979, P.L. 96-21, 93 Stat. 46. |
| Richard Brevard Russell, Jr. | GA | 1/21/1971 | 1933-1971 | X | | | | Russell Senate Office Building named in his honor, S.Res. 296, 92 nd Congress. The Richard B. Russell Federal Building, Atlanta, 1972. Richard B. Russell Agricultural Research Center, Athens, GA. |
| Everett McKinley Dirksen ^b | IL | 9/7/1969 | 1933-1949 1951-1969 | | X | | | Dirksen Senate Office Building named in his honor, S. Res. 296, 92 nd Congress. |
| William Langer | ND | 11/8/1959 | 1941-1959 | | | X ^f | | |
| Joseph Raymond McCarthy | WI | 5/2/1957 | 1947-1957 | | | X ^g | | |
| Arthur Hendrick Vandenberg | MI | 4/18/1951 | 1928-1951 | | | | X | S-138 Capitol designated as the Arthur Vandenberg Room, S.Res. 80, 97 th Congress. |
| Byron Patton (Pat) Harrison ^b | MS | 6/22/1941 | 1919-1941 | X | | X ^h | | |
| Key Pittman | NV | 11/10/1940 | 1913-1940 | X | | | | |
| William Edgar Borah | ID | 1/19/1940 | 1907-1940 | | | X ^g | | Represents Idaho in Statuary Hall Collection, 1947. |
| Joseph Taylor Robinson | AR | 7/14/1937 | 1913-1937 | | | X | | |
| James Hamilton Lewis ^b | IL | 4/9/1939 | 1913-1919 1931-1939 | | | X | | |
| Thomas James Walsh | MT | 3/2/1939 | 1913-1933 | | | X | | |
| William Julius Harris | GA | 4/18/1932 | 1919-1932 | | | X | | |
| Lee Slater Overman | NC | 12/12/1930 | 1903-1930 | | | X | | |
| Francis Emroy Warren | WY | 11/24/1929 | 1890-1893 1895-1929 | | | X | | |

| Name | State | Date of Death | Dates of Service | President Pro Tempore | Laid in Rotunda | Senate Chamber Observance | Famous Nine | Subsequent Observances ^a |
|--|-------|---------------|--|-----------------------|-----------------|---------------------------|-------------|---|
| Theodore Elijah Burton ^b | OH | 10/28/1928 | 1909-1915 1928-1929 | | | X | | |
| Robert Marion La Follette ^b | WI | 6/18/1925 | 1885-1891 1906-1925 | | | | X | Represents Wisconsin in Statuary Hall Collection, 1929. La Follette Congressional Reading Room, Madison Building, Library of Congress, approved by the Joint Committee on the Library, 1984 |
| James P. Clark | AR | 10/1/1916 | 1903-1916 | X | | | | Represents Arkansas in Statuary Hall, 1921. |
| Augustus Octavius Bacon | GA | 2/14/1914 | 1895-1914 | | | X | | |
| William Brimage Bate | TN | 3/9/1905 | 1887-1905 | | | X | | |
| Marcus Alonzo Hanna | OH | 2/15/1904 | 1897-1904 | | | X | | |
| John Alexander Logan | IL | 12/26/1886 | 1859-1862 1867-1877 1879-1886 | | X | X | | Logan Circle, District of Columbia—Originally “Iowa Circle,” renamed by Congress in 1930. |
| Charles Sumner | MA | 3/11/1874 | 1851-1874 | | X | X | | |
| Thomas J. Rusk | TX | 7/29/1857 | 1845-1857 | X | | | | |
| Henry Clay ⁱ | KY | 6/29/1852 | 1806-1807 1810-1814 1831-1842 1849-1852 | | X | X | X | Represents Kentucky in Statuary Hall, 1929. |
| John Caldwell Calhoun ^j | SC | 3/31/1850 | 1811-1817 1832-1843 1845-1850 | | | | X | Represents South Carolina in Statuary Hall, 1910. |
| Roger Sherman ^k | CT | 7/23/1793 | 1789-1793 | | | | X | Represents Connecticut in Statuary Hall Collection, 1872. |

Sources: Biographical Directory of the United States Congress, at <http://bioguide.congress.gov/biosearch/biosearch.asp>; Congressional actions as noted; “Funerals Held in the Senate Chamber,” and “Rooms in the U.S. Capitol Complex Named for Prominent Individuals,” lists from the Architect of the Capitol’s Senate Curator.

Notes: Based on Senate service at the time of death, and one or more of the following criteria: service as President Pro Tempore of the Senate at the time of their death; laid in state in the Rotunda of the United States Capitol; inclusion as one of the “Famous Nine” Senators designated by the Senate at various times, and whose likenesses are displayed in the Senate Reception Room; or 14 of 15 the Senators whose passing was observed with services on the Senate floor during the 20th century.

- a. Entries may not be complete. Does not include the naming of United States Navy ships, or other monuments or memorials established by executive branch authorities, states or municipalities, or private entities.

- b. Served in House prior to Senate service.
- c. U.S. President (Obama), “Presidential Proclamation—Passing of Robert Byrd,” June 30, 2010, available at <http://www.whitehouse.gov/the-press-office/presidential-proclamation-passing-robert-byrd>.
- d. Memorial service held in Capitol Rotunda. Served as Vice President of the United States between periods of Senate service.
- e. U.S. President (Carter), “Proclamation 454, Death of Hubert H. Humphrey,” *Public Papers of the Presidents of the United States: Jimmy Carter, 1978*, vol. 1 (Washington: GPO, 1979), p. 80.
- f. Died between sessions of Congress; the funeral was held on the Senate floor during recess, and was not recorded in the *Congressional Record*.
- g. Funeral proceedings were printed in the *Congressional Record*.
- h. Remains laid in repose in the Senate chamber. A funeral or other observance was not mentioned in the *Congressional Record*.
- i. Served in House and as Secretary of State.
- j. Served as a Representative, Secretary of War, Secretary of State and Vice President of the United States.
- k. Signed Declaration of Independence, Articles of Confederation, and the Constitution. Served in the Continental Congress and House before serving in the Senate.

Author Contact Information

(name redacted)
Specialist in American National Government
[redacted]@crs.loc.gov, 7-....

(name redacted)
Information Research Specialist
[redacted]@crs.loc.gov, 7-....

EveryCRSReport.com

The Congressional Research Service (CRS) is a federal legislative branch agency, housed inside the Library of Congress, charged with providing the United States Congress non-partisan advice on issues that may come before Congress.

EveryCRSReport.com republishes CRS reports that are available to all Congressional staff. The reports are not classified, and Members of Congress routinely make individual reports available to the public.

Prior to our republication, we redacted names, phone numbers and email addresses of analysts who produced the reports. We also added this page to the report. We have not intentionally made any other changes to any report published on EveryCRSReport.com.

CRS reports, as a work of the United States government, are not subject to copyright protection in the United States. Any CRS report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS report may include copyrighted images or material from a third party, you may need to obtain permission of the copyright holder if you wish to copy or otherwise use copyrighted material.

Information in a CRS report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to members of Congress in connection with CRS' institutional role.

EveryCRSReport.com is not a government website and is not affiliated with CRS. We do not claim copyright on any CRS report we have republished.