

CRS Report for Congress

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House and Senate Chaplains

Mildred Amer
Specialist in American Government
Government and Finance Division

The official clergy of Congress are the two chaplains — one in the House, the other in the Senate. They are among the elected officers of their respective houses. At the beginning of each Congress, the House chaplain is elected for a two-year term. The Senate chaplain does not have to be reelected at the beginning of a new Congress. This fact sheet is one of a series on the legislative process. For more information on the legislative process, please see [<http://www.crs.gov/products/guides/guidehome.shtml>].

Chaplains are chosen by each chamber as individuals and not as representatives of any religious body or denominational entity. The leadership of both houses has the ultimate authority to recommend candidates for the chaplaincy, although other interested Members are usually part of the selection process. There have been 62 Senate chaplains and 59 House chaplains. All but two have been Protestant. There have, however, been men and women “guest” chaplains from other faiths, including the Jewish and Islamic.

On June 27, 2003, the Senate elected its first black and first Seventh-Day Adventist chaplain. Dr. Barry C. Black, a rear admiral and former chief of chaplains for the Navy, was selected by Majority Leader Bill Frist. His name was among those recommended by a bipartisan search committee of five Senators led by Senator John Kyl. Dr. Black replaced Dr. Lloyd Ogilvie, a Presbyterian minister, who had resigned in March 2003. See [http://www.senate.gov/artandhistory/history/common/briefing/Senate_Chaplain.htm] for a list of all Senate chaplains.

On March 23, 2000, the Speaker of the House appointed the first Roman Catholic House chaplain, Father Daniel P. Coughlin, to fill the vacancy caused by the resignation of Rev. James Ford, who had served as House chaplain since January 1979. Rev. Charles C. Pise, the only Catholic priest to be elected Senate chaplain, served for one year (1833).

In May 1999 after Rev. Ford announced his intention to retire, House Speaker Dennis Hastert and the then-minority leader Richard Gephardt appointed an 18-member bipartisan search committee, chaired by Representatives Tom Bliley (R-VA) and Earl Pomeroy (D-ND), to recommend three finalists for House chaplain.¹ In November 1999, Rev. Charles Wright, a Presbyterian minister, was chosen by the House leadership (the

¹ Rev. Ogilvie was selected after a search by a bipartisan committee of six Senators appointed by the then-Senate majority leader Robert Dole, as was Rev. Ford, who was chosen after a search by a smaller committee appointed by then-Speaker Thomas P. (Tip) O'Neill.

speaker, and majority and minority leaders). However, he withdrew his name from consideration, and Speaker Hastert appointed Father Coughlin under his authority to appoint a temporary replacement officer in the middle of a Congress (2 U.S.C., §75a-1). Father Coughlin has since been elected at the beginning of each subsequent Congress. See [http://clerk.house.gov/histHigh/Congressional_History/chaplains.html] for a list of all House chaplains.

The Senate chaplain earns \$136,000 a year, and the House chaplain earns \$155,500 a year. Both work full time, although many previous chaplains maintained pulpits at local churches while serving Congress. The budgets for their office operations and staff are included in the annual legislative branch appropriations.

The chaplains perform ceremonial, symbolic, and pastoral duties. They open the daily sessions in the chambers of each house with a prayer; serve as spiritual counselors to Members, their families, and staff; conduct Bible studies, discussion sessions, and prayer meetings for Members and staff; and often officiate at the weddings and funerals of Members. They also coordinate the “guest chaplains” who are frequently invited by Members to deliver the daily invocation.

The custom of opening legislative sessions with a prayer began in the Continental Congress, which elected Jacob Duche, Rector of Christ Episcopal Church in Philadelphia, to serve as its chaplain from 1774-1776. Except for a brief period (described below), both chambers have elected a chaplain since the First Congress in 1789. The House chose William Lynn, a Presbyterian minister from Philadelphia, as its first chaplain, and the Senate picked Samuel Provoost, Episcopal bishop from New York. Each received a salary of \$500. Until the mid-nineteenth century, the chaplains were not considered officers of Congress. They were elected for a single session instead of an entire Congress and worked alternately in each house, changing weekly.

When Congress moved to Washington in 1800, churches were so few that the chaplains even took turns conducting Sunday services in the House chamber — now part of Statuary Hall. Visiting clergy also participated in these services, which were open to the public. During the early years of Congress, the chaplains’ duties centered primarily on the preparation and delivery of convening prayers, and they served as pastors of churches in the Washington area in addition to their congressional duties. As their duties to Congress increased, the chaplains resigned their pastorates after their election to devote more time to the position of chaplain; an office and staff were also provided.

The period without chaplains lasted from 1857-1859, when questions were raised by citizens who objected to the employment of chaplains in Congress and the military as a breach of the separation of church and state. Some critics also alleged that the appointments of chaplains had become too politicized. Accordingly, local clergy voluntarily served as chaplains. However, the difficulty in obtaining volunteer chaplains resulted in the return to the practice of selecting official House and Senate chaplains.

In late 1994, prior to the convening of the 104th Congress, some thought was given to having volunteers of rotating denominations fill the post of House chaplain. However, the Republican leadership decided to maintain the system of a full-time paid chaplain.

The constitutionality of the chaplains' prayers was upheld in 1983 by the Supreme Court (*Marsh v. Chambers*, 463 U.S. 783) on the grounds of precedent and tradition. The Court cited the practice going back to the Continental Congress in 1774 and noted that the custom "is deeply embedded in the history and tradition of this country" from colonial times and the founding of the republic. Further, the Court held that the use of prayer "has become part of the fabric of our society," coexisting with "the principles of disestablishment and religious freedom." Subsequently, on March 25, 2004, the U.S. District Court for the District of Columbia, citing *Marsh v. Chambers*, dismissed a suit that challenged the congressional practice of paid chaplains as well as the practice of opening legislative sessions with prayer.