

## Learning About Legislation #34 - The Role of the Speaker of the House

In all of the reporting this week revolving around the selection of Nancy Pelosi as Speaker of the House, little space was given to what exactly goes into the job of the Speaker. In 2017 the Congressional Research Service produced a white paper titled [The Speaker of the House: House Officer, Party Leader, and Representative](#) that does an admirable job of outlining the history of the position. All of the quotes in this section are excerpted from that report.

The position of Speaker is one that is outlined in the [Constitution](#). Article I, Section 2 says “the House of Representatives shall chuse their Speaker and other Officers.” But the Constitution has nothing more to say about the position, and there was little discussion of the office during the Constitutional Convention. Because of this, the job as we know it today is mostly defined by precedent, and the responsibilities performed by previous speakers.

As the Leader of the House, the Speaker has the following powers and responsibilities:

- Administering the oath of office to Members;
- Calling the House to order;
- Preserving order and decorum within the chamber and in the galleries;
- Recognizing Members to speak and make motions;
- Deciding points of order;
- Counting a quorum;
- Presenting the pending business to the House for a vote;
- Appointing Speakers pro tempore and chairs of the Committee of the Whole;
- Certifying various actions of the House, including signing all acts and joint resolutions, writs, warrants, and subpoenas of (or issued to) the House;
- Appointing select and conference committees;
- Appointing certain House officers (such as the inspector general, the historian of the House, and the general counsel);
- Referring measures to committee(s);
- and Examining and approving the Journal of the proceedings of the previous day’s session.

Outside of those administrative roles as leader of the entire House, the Speaker also holds the responsibility of acting as the leader, and negotiating power, within her own political party. A big part of that involves the organization of the caucus into committees. The rules are slightly different for each of the parties, but for Democrats, “...a Speaker from that party would recommend (to the caucus) nominees for officers of the House. A Speaker’s prominence within the caucus is reinforced because he or she would chair the Steering and Policy Committee and appoint two vice-chairs, and up to 15 of the committee’s members. In addition, a Speaker would appoint one Member to the House Budget Committee. He or she would nominate the Democratic membership on the Committee on Rules and on the Committee on House Administration and recommend to the caucus a nominee for chair of these two committees. A Speaker of the Democratic Party also serves as a member of the Democratic Congressional Campaign Committee and appoints eight of its members.”

Another major task is the management of the scheduling for the House. Depending on the rules voted upon at the start of each new Congress, the Speaker maintains all or most of the authority around what bills are brought to the floor for a vote. The CRS paper cites former Speaker Thomas (Tip) O’Neill, who observed “if [a Speaker] doesn’t want a certain bill to come up, it usually doesn’t.”

It has become a matter of precedent, however, that once a Member of Congress becomes Speaker, they no longer exercise any number of tasks that are the job of regular members. Specifically, "...it may be notable or even controversial when he or she exercises the powers granted to other Members, such as debating, voting, and sitting as a Member of a standing committee of the House." While he was Vice President, Thomas Jefferson prepared a manual (titled, appropriately enough, *Jefferson's Manual*) that has been included in the rules of the House. In that document, Jefferson noted (paraphrased by the CRS paper) "the Speaker is typically heard only on matters of order, and it is highly irregular to speak on any other matter while presiding."

Lastly, the Speaker of the House is the second in the line of succession for the presidency, just after the Vice President.