

# *Officers, Officials, and Employees*

## A. THE SPEAKER

### § 1. Introductory

The Speaker of the House of Representatives is the central political leader in the House and one of the most powerful and influential institutional figures in the United States government.

This subchapter describes the nature of the office of the Speaker, outlines his jurisdiction and duties, and illustrates various limitations on the Speaker's powers.

Throughout the subchapter, appropriate cross references are given to other chapters wherein fuller treatment of the various substantive areas are found.

Certain precedents involving the Chairman of the Committee of the Whole have been included herein where they appear to be applicable, by way of analogy, to the Speaker.

### § 2. Definition and Nature of Office

Article I, section 2, of the U.S. Constitution provides that "the House of Representatives shall

choose their Speaker."<sup>(1)</sup> The Member elected by the House as Speaker is almost invariably the Member chosen in the caucus or conference of the majority party in the House.<sup>(2)</sup>

The term of office of the Speaker begins upon his election and taking of his oath of office. The term ends upon the expiration of the Congress to which the Member was elected Speaker, unless the Speaker has resigned, died, or been removed by the House.<sup>(3)</sup>

The Member chosen as the Speaker is the presiding officer of the House, charged with numerous duties and responsibilities by law and by House rules as will be exemplified in this subchapter;<sup>(4)</sup>

1. See Ch. 1, *supra*, for treatment of the election of the Speaker.
2. See Ch. 3, *supra*, for treatment of the party caucus or conference procedures to select a nominee for Speaker.
3. "A Speaker may be removed at the will of the House. . . ." Jefferson's *Manual, House Rules and Manual* §315 (1973). *Parliamentarian's Note*: The House has never removed a Speaker, however.
4. See §§ 3, 5-8, *infra*.