

§ 10. Definition and Nature of Office

The “Speaker pro tempore”⁽¹⁾ is the title of the office (1) of the Member designated as such by the Speaker,⁽²⁾ or (2) of the Member designated by the Speaker and approved by the House, or (3) of the person elected by the House to act as and to assume certain of the duties, powers, and functions of the Speaker during the Speaker’s absence.⁽³⁾

The Speaker pro tempore should also be distinguished from the Chairman or Chairman pro tempore of the Committee of the Whole. See Ch. 19, *infra*.

CONG. REC. 5065, 80th Cong. 2d Sess., Apr. 29, 1948.

1. “Pro tempore” is a Latin phrase meaning “for the moment” or “for a time.”

Parliamentarian’s Note: The Speaker pro tempore is more usually referred to in conversation as the “Speaker pro tem,” which is acceptable in conversation, though not the official title. “Pro tem” has the same meaning as “pro tempore.”

2. Or, on occasions, by a Speaker pro tempore. See §§ 12.3, 12.4, *infra*.
3. Even though the Clerk sometimes assumes some of the duties, powers, and functions of the Speaker when the Speaker is not yet elected or is absent, he is not considered a Speaker pro tempore. See § 18, *infra*, for treatment of the office of Clerk.

The primary rule involving the Speaker pro tempore is Rule I clause 7, *House Rules and Manual* § 633 (1973). It states: “He [the Speaker] shall have the right to name any Member to perform the duties of the Chair, but such substitution shall not extend beyond three legislative days: *Provided*, however, That in the case of his [the Speaker’s] illness, he may make such appointment for a period not exceeding ten days, with the approval of the House at the time the same is made; and in his [the Speaker’s] absence and omission to make such appointment, the House shall proceed to elect a Speaker pro tempore to act during his absence.”

The Speaker pro tempore is usually a Member who is a leader in the majority party.⁽⁴⁾ A minority party member is designated Speaker pro tempore only on rare ceremonial occasions.⁽⁵⁾

Speakers pro tempore are distinguishable by whether they are designated, designated and approved, or elected. The kinds of duties, powers, and functions assumed by a Speaker pro tempore depend, more often than not, on the type of Speaker pro tempore involved.⁽⁶⁾

4. Party Organization generally, see Ch. 3, *supra*.

5. See § 12.7, *infra*.

6. See §§ 12.8–12.16 (designated), 13.1, 13.2 (designated and approved), and 14.8–14.16 (elected), *infra*.

It should be noted, however, that there are also situations, usually noncontroversial ones, in which actions undertaken by a Speaker pro tempore are not dependent on the type of Speaker pro tempore involved. Examples of these actions are: calling the House to order in the absence of the Speaker;⁽⁷⁾ announcing matters involving actions of the Speaker;⁽⁸⁾ and designating another Speaker pro tempore.⁽⁹⁾

§ 11. Oath of Office; Term of Office

The Members' oath of office⁽¹⁰⁾ is administered to an elected

7. See § 12.15 (designated); and the illustration under § 14.12 (elected), *infra*.
8. See illustrations under § 12.2 (designated), *infra*; and 109 CONG. REC. 25591, 88th Cong. 1st Sess., Dec. 27, 1963; and 108 CONG. REC. 12705, 87th Cong. 2d Sess., July 5, 1962 (elected).
9. See illustrations under §§ 14.1 (designated); 12.3 (elected), *infra*.
10. The oath prescribed by statute, 5 USC § 3331, is as follows: "I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reserva-

tion or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

Speaker pro tempore,⁽¹¹⁾ and, under recent precedent,⁽¹²⁾ to a designated and approved Speaker pro tempore, but not to a designated Speaker pro tempore.⁽¹³⁾

The oath of office as Speaker pro tempore is administered by the Speaker if he is present⁽¹⁴⁾ or by a Member chosen by the elected,⁽¹⁵⁾ or designated and ap-

11. See § 11.1, *infra*.

Parliamentarian's Note: The additional oath is the same one administered to Members, since the formal language of it is applicable to any office to which a Member is about to enter. See 5 USC § 3331.

12. See §§ 11.2, 11.3, *infra*.
13. For previous treatment of the oath of office of the Speaker pro tempore see 1 Hinds' Precedents § 229, 2 Hinds' Precedents §§ 1386, 1394; 6 Cannon's Precedents §§ 274, 280.

Parliamentarian's Note: For reasons of efficiency a designated Speaker pro tempore is not administered the oath of office as Speaker pro tempore, even though upon his designation he also assumes a new office. The elected and the designated and approved Speakers pro tempore are administered the oath because they assume not only a new office but also new duties, e.g., the signing, in the place of the Speaker, of enrolled bills and joint resolutions.

14. See § 11.4, *infra*.
15. See § 11.5, *infra*.