

. . . [T]he Members of Congress met in their hall, and at 12 o'clock were called to order by the Speaker pro tempore Hon. Carl Albert, a Representative from the State of Oklahoma.

The Speaker pro tempore (Mr. Albert) laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. House of Representatives,
Washington, D.C.

I hereby designate the Honorable Carl Albert to act as Speaker pro tempore today.

JOHN W. McCORMACK,
Speaker.

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THE SPEAKER PRO TEMPORE: The Chair requests the gentleman from Louisiana [Mr. Boggs] to assume the Chair.

Mr. Boggs assumed the Chair as Speaker pro tempore.

THE SPEAKER PRO TEMPORE: (Mr. Hale Boggs): The Chair recognizes the gentleman from New York [Mr. Keogh].

MR. [EUGENE J.] KEOGH: Mr. Speaker, on account of the unavoidable absence of The Speaker due to the death of his beloved brother, and at his request, I offer a resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 627

Resolved, That Hon. Carl Albert, a Representative from the State of Oklahoma, be, and he is hereby, elected Speaker pro tempore during the absence of The Speaker.

Resolved, That the President and the Senate be notified by the Clerk

of the election of the Honorable Carl Albert as Speaker pro tempore during the absence of The Speaker.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. Albert assumed the Chair as Speaker pro tempore and Mr. Celler administered the oath of office.

§ 13.—House Approval

The House rules provide:

[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 case of his 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. . . .⁽⁶⁾

The approval of the House has been obtained by The Speaker pursuant to a unanimous-consent request where The Speaker, though not ill, wished to appoint a Speaker pro tempore who could serve beyond three legislative days⁽⁷⁾ and to allow a designated Speaker pro tempore to sign enrolled bills during the period of his designation.⁽⁸⁾

Because of this procedure's infrequent use in modern times it

6. Rule I clause 7 of the *House Rules and Manual* § 633 (1973).

7. See § 13.1, *infra*.

8. See § 13.2, *infra*.

appears that a Speaker will more often invite the election of a Speaker pro tempore when the necessity arises, thus enabling him to sign enrolled bills and joint resolutions and vesting in him the fuller powers of an elected officer.⁽⁹⁾

The President and Senate are notified when a designated Speaker pro tempore has been given the approval of the House.⁽¹⁰⁾

House Approval of Designated Speaker Pro Tempore

§ 13.1 On rare occasions a Speaker, though not ill, will designate a Speaker pro tempore and the House will approve the designation so that the designated Speaker pro tempore may serve beyond three legislative days.

On Apr. 7, 1930,⁽¹¹⁾ Speaker Nicholas Longworth, of Ohio, designated a Speaker pro tempore to serve for a three-day period and "thereafter" until his return from a brief vacation.

MR. [BERTRAND H.] SNELL [of New York]: Mr. Speaker, I offer a resolution and ask its immediate consideration.

9. See § 14, *infra*.

10. See §§ 13.1, 13.2, *infra*.

11. 72 CONG. REC. 6661, 71st Cong. 2d Sess. See also 12.1, *supra*.

The Speaker: The gentleman from New York [Mr. Snell] offers a resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That the designation of Hon. John Q. Tilson, a Representative from the State of Connecticut, as Speaker pro tempore be approved by the House and that the President and the Senate be notified thereof.

THE SPEAKER: The question is on agreeing to the resolution.

The resolution was unanimously agreed to.

§ 13.2 A designated Speaker pro tempore must be formally approved by the House in order to sign enrolled bills during the period of time of his designation.

On Feb. 24, 1949,⁽¹²⁾ the designated Speaker pro tempore John W. McCormack, of Massachusetts, received the approval of the House in order that he might sign enrolled bills.

MR. [MIKE] MANSFIELD [of Montana]: Mr. Speaker, I offer a privileged resolution (H. Res. 116) and ask for its immediate consideration

The Clerk read the resolution, as follows:

Resolved, That the designation of Hon. John W. McCormack, a Representative from the State of Massachusetts, as Speaker pro tempore be approved by the House, and that the President of the United States and the Senate be notified thereof.

12. 95 CONG. REC. 1489, 81st Cong. 1st Sess.

MR. [FRANCIS H.] CASE of South Dakota: Mr. Speaker, will the gentleman yield?

MR. MANSFIELD: I yield to the gentleman from South Dakota.

MR. CASE of South Dakota: As I understand, this is the customary resolution to meet a situation, so that bills may be duly enrolled and presented for signature?

MR. MANSFIELD: The gentleman is correct.

THE SPEAKER PRO TEMPORE: The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE SPEAKER PRO TEMPORE: The Chair requests the gentleman from Montana [Mr. Mansfield] to administer the oath of office to the Chair.

Mr. Mansfield administered the oath of office as Speaker pro tempore to Mr. McCormack.

§ 14. Election of Speaker Pro Tempore

A House rule⁽¹³⁾ provides for the election of a Speaker pro tempore when The Speaker is absent and has omitted designating a Speaker pro tempore.

This rule has been rarely invoked. Ordinarily, The Speaker will invite the election of a Speaker pro tempore before leaving⁽¹⁴⁾

13. Rule I clause 7, *House Rules and Manual* § 633 (1973).

14. See §§ 14.3–14.5, *infra*.

or the House will elect a Speaker pro tempore after The Speaker has already designated one.⁽¹⁵⁾

A Speaker pro tempore is elected by formal resolution and the President and Senate are notified of his election.⁽¹⁶⁾

When a previously designated Speaker pro tempore is the Member who is to be elected Speaker pro tempore, he momentarily designates another Speaker pro tempore during the election process.⁽¹⁷⁾

An elected Speaker pro tempore is more than a “stand-in” Speaker. Indicative of this is the requirement that he swear a new oath upon his entering the office of Speaker pro tempore.⁽¹⁸⁾

Moreover, an elected Speaker pro tempore assumes a much greater scope of authority from The Speaker than a designated Speaker pro tempore. Being elected, he does not have to have the

15. See § 14. 6, *infra*.

Parliamentarian's Note: As the illustrations under § 14.6 indicate, normally the Member designated Speaker pro tempore by the Speaker is the person the House elects. However, the House has the inherent power, and has exercised it, to elect a person other than the Member so designated. See § 14.7, *infra*.

16. See §§ 14.1, 14.2, *infra*, respectively.

17. See §§ 14.6, 14.7, *infra*.

18. See § 11, *supra*.