

The Speaker of the House: House Officer, Party Leader, and Representative

Valerie Heitshusen

Specialist on Congress and the Legislative Process

November 12, 2015

Congressional Research Service

7-5700

www.crs.gov

97-780

About TheCapitol.Net

We help you understand Washington and Congress.™

For more than 35 years, TheCapitol.Net and its predecessor, Congressional Quarterly Executive Conferences, have been training professionals from government, military, business, and NGOs on the dynamics and operations of the legislative and executive branches and how to work with them.

Our training and publications include congressional operations, legislative and budget process, communication and advocacy, media and public relations, research, testifying before Congress, legislative drafting, critical thinking and writing, and more.

TheCapitol.Net encompasses a dynamic team of more than 150 faculty members and authors, all of whom are independent subject matter experts and veterans in their fields. Faculty and authors include senior government executives, former members of Congress, Hill and agency staff, editors and journalists, lobbyists, lawyers, nonprofit executives, and scholars.

We have worked with hundreds of clients across the country to develop and produce a wide variety of custom, on-site training programs.

All courses, seminars, and workshops can be tailored to align with your organization's educational objectives and presented on-site at your location.

TheCapitol.Net is on the GSA Schedule, 874-4, for custom on-site training:
GSA Contract GS02F0192X.

TheCapitol.Net has more than 2,000 clients representing congressional offices, federal and state agencies, military branches, corporations, associations, news media, and NGOs nationwide.

TheCapitol.Net is a non-partisan firm.

Our blog: [Hobnob Blog](#)—hit or miss ... give or take ... this or that ...

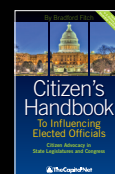


Non-partisan training and publications that show how Washington works.™

PO Box 25706, Alexandria, VA 22313-5706
202-678-1600 • www.thecapitol.net



TheCapitol.Net is on the
GSA Schedule, 874-4,
for custom on-site training.
GSA Contract GS02F0192X



Summary

The Speaker of the House of Representatives is widely viewed as symbolizing the power and authority of the House. The Speaker's most prominent role is that of presiding officer of the House. In this capacity, the Speaker is empowered by House rules to administer proceedings on the House floor, including recognition of Members to speak on the floor or make motions and appointment of Members to conference committees. The Speaker also oversees much of the non-legislative business of the House, such as general control over the Hall of the House and the House side of the Capitol and service as chair of the House Office Building Commission. The Speaker's role as "elect of the elect" in the House also places him or her in a highly visible position with the public.

The Speaker also serves as not only titular leader of the House but also leader of the majority party conference. The Speaker is often responsible for airing and defending the majority party's legislative agenda in the House.

The Speaker's third distinct role is that of an elected Member of the House. Although elected as an officer of the House, the Speaker continues to be a Member as well. As such the Speaker enjoys the same rights, responsibilities, and privileges of all Representatives. However, the Speaker has traditionally refrained from debating or voting in most circumstances and does not sit on any standing committee of the House.

Contents

Introduction	1
Selection of the Speaker	1
The Speaker as Leader of the House	3
The Speaker as Party Leader	4
The Speaker as a Member of the House	7

Appendixes

Appendix A. Speakers of the House of Representatives, 1789-2015	9
Appendix B. Select Bibliography	12

Contacts

Author Contact Information	13
Acknowledgments	13

Introduction

Article I, Section 2, of the Constitution states: “The House of Representatives shall chuse their Speaker and other Officers.”¹ The position of Speaker combines several roles: the institutional role of presiding officer and administrative head of the House, the partisan role of leader of the majority party in the House, and the representative role of an elected Member of the House. As the “elect of the elect,” the Speaker has perhaps the most visible job in Congress. By statute, the Speaker is also second in line, behind the Vice President, to succeed to the presidency.²

The Constitution does not describe the office of the Speaker or its duties, nor was there any significant discussion of the office during the Constitutional Convention. The use of the title “Speaker” probably has its origins in the British House of Commons, where the presiding officer acted as the chamber’s spokesman to the Crown, but any assumptions the authors of the Constitution had for the office undoubtedly also drew upon their own experiences in colonial legislatures and the Continental Congress. There does not seem to have been any grand plan or specific expectation as to how the Founding Fathers envisioned the speakership. Rather, the speakership has been shaped largely by the various individuals who have held the post, the circumstances in which they have operated, formal obligations that have been assigned to the office by House rules and by statute, the character of the House as a political and constitutional institution, and traditions and customs that have evolved over time.

Selection of the Speaker³

When the House of Representatives convenes at the beginning of a new Congress, its first order of business is to elect a Speaker. Because the House dissolves at the end of a Congress and must start anew at the beginning of each new Congress, the Clerk of the House presides over the House under general parliamentary law until a Speaker is elected. For its first 50 years, the House elected the Speaker by ballot. In 1839, this method was changed to election by *vive voce*, meaning that each Member names aloud whom he or she favors for Speaker. Tellers⁴ then record the result. In modern practice, each party places the name of a single Member in nomination for the position, but otherwise virtually the same *vive voce* method is used to elect the Speaker. Because the election of the Speaker typically takes place before the House adopts its rules of procedure, the election process is defined by precedent and practice rather than by any formal rule.

¹ The other officers of the House are not specified in the Constitution. Currently, under House Rule II, the Clerk, Sergeant at Arms, chief administrative officer, and chaplain are identified as officers to be elected by the House, although the rule also states that the Clerk, Sergeant at Arms, and chief administrative officer may be removed either by the House or the Speaker. Rule II also identifies additional officers to be appointed by the Speaker: the historian of the House, the general counsel, and the inspector general.

² The Presidential Succession Act of 1947 (P.L. 80-199, 61 Stat. 380) provides that if “there is neither a President nor Vice President to discharge the powers and duties of the office of the President, then the Speaker of the House of Representatives shall, upon his resignation as Speaker and as Representative in Congress, act as President.” To succeed to the presidency a Speaker would also need to qualify under the terms of Article II, Section 5, of the Constitution, which requires that the President be a “natural-born citizen,” at least 35 years of age, and a resident within the United States for 14 years.

³ For more on elections of the Speaker, see CRS Report RL30857, *Speakers of the House: Elections, 1913-2015*, by Richard S. Beth and Valerie Heitshusen.

⁴ In current practice, the presiding officer appoints four Members as tellers (two from each party). The tellers typically include the chair and ranking member of the Committee on House Administration. In recent decades, each party’s longest-serving female Member is also typically appointed as a teller.

To be elected Speaker, a candidate must receive an absolute majority of the votes cast, which may be less than a majority of the full membership of the House because of vacancies, absentees, or Members voting “present.”⁵ Although the major parties nominate candidates for the position of Speaker, there is no limitation on for whom Members may vote. In fact, there is no requirement that the Speaker be a Member of the House.⁶ None of the other officers of the House is a Member.

If no candidate receives the requisite majority, the roll call is repeated until a Speaker is elected. Again, Members may continue to vote for any individual, and no restrictions, such as eliminating minority candidates or prohibiting new candidates from being named, are imposed. For example, at the beginning of the 34th Congress in 1855, 133 ballots over a period of two months were necessary to elect Nathaniel Banks of Massachusetts as Speaker.⁷

The last occasion on which multiple ballots were required to elect a Speaker was in 1923. At the beginning of the 68th Congress, the nominees from both major parties initially failed to receive a majority of the votes because of votes cast for other candidates by Members from the Progressive Party and from the “progressive wing” of the Republican Party. After the Republican leadership agreed to accept a number of procedural reforms, many of these Members agreed to vote for the Republican candidate on the ninth ballot, making Frederick Gillett of Massachusetts the Speaker.⁸

If a Speaker dies or resigns during a Congress, the House immediately elects a new Speaker. Although it was an earlier practice of the House to elect a new Speaker under these conditions by adopting a resolution to that effect, the modern practice is to use the same practice as employed at the beginning of a Congress. The most recent example occurred during the 114th Congress when Paul Ryan of Wisconsin was elected Speaker following the resignation of John Boehner of Ohio.⁹

After the ballots are tallied, the presiding officer announces the name of the newly elected Speaker and then appoints a committee of Members to escort the Speaker-elect to the chair.¹⁰ Traditionally, the minority floor leader makes remarks and presents the Speaker-elect to the House; the Speaker-elect then addresses the chamber before being sworn in by the longest continuously serving Member (the “Dean of the House”).¹¹ The House, at that point, adopts two resolutions, one that informs the Senate of the Speaker’s election and one that directs the Clerk to inform the President.

⁵ The controlling precedent dates to March 18, 1879, when in response to an inquiry, the Clerk, while presiding over the House, stated: “It requires a majority of those voting to elect a Speaker, as it does to pass a bill.” Asher Hinds, *Hinds’ Precedents of the House of Representatives of the United States* (Washington: GPO, 1907), vol. 1, §216.

⁶ For example, in the election of the Speaker at the beginning of the 105th Congress (1997-1998), two former Members of the House (Robert H. Michel and Robert Walker) each received one vote. *Congressional Record*, vol. 143 (January 7, 1997), p. 117. In the 113th Congress (2013-2014), four Members cast votes for one of three individuals who were not Members of the House at the time: a former Member of the House (Allen West), a former U.S. Secretary of State (Colin Powell), and a former Comptroller General of the United States (David Walker). At the start of the 114th Congress (2015-2016), three individuals who were not Members of the House each received one vote for Speaker. Colin Powell again received a vote; two sitting Senators (Rand Paul and Jeff Sessions) also each received one vote. In the October 2015 election, Colin Powell received one vote.

⁷ On the 133rd ballot, Banks received 103 votes while his four opponents received a total of 111. Since this was not a majority, the House subsequently adopted a resolution, by majority vote, confirming the election. *Congressional Globe*, vol. 25, 34th Cong., 1st sess., February 2, 1856, pp. 337-342.

⁸ *Congressional Record*, vol. 65 (December 3-5, 1923).

⁹ *Congressional Record*, daily edition, vol. 161 (October 29, 2015), pp. H7337-8.

¹⁰ The committee’s membership is recommended by party leadership and traditionally includes Members who hold leadership positions in each party as well as the Members of the House from the Speaker-elect’s state delegation.

¹¹ See Lewis Deschler, *Deschler’s Precedents of the United States House of Representatives* (Washington: GPO, 1977), ch. 1 §§6.1, 6.2, 6.4; and I Hinds’ *Precedents*, §131.

In the 19th century, longevity of House service was not as important a criterion in selecting the Speaker as it is today. It was not unusual for a Member to be elected Speaker with only a few years of service. From 1789 to 1899, the average length of House service before a Member was elected Speaker was 7.1 years. In fact, Henry Clay of Kentucky (in 1811) and William Pennington of New Jersey (in 1860) were each elected Speaker as freshmen. (The first Speaker, Frederick A. Muhlenberg of Pennsylvania, was obviously a third, albeit special, case.)

The 21 Speakers elected between 1899 (David B. Henderson) and October 2015 (Paul D. Ryan) served an average of 23.3 years in the House prior to their first election as Speaker. The longest pre-speakership tenure in this period belonged to Jim Wright, who served for 17 terms before being elected as Speaker. Sam Rayburn of Texas served longer as Speaker than any other Member: a tenure of 17 years (interrupted twice by Republican majorities). Thomas P. “Tip” O’Neill Jr. of Massachusetts holds the record for the longest continuous service as Speaker: 10 years. The record for the shortest tenure belongs to Theodore M. Pomeroy of New York, who served one day. (**Appendix A** lists all the Speakers of the House as well as their party affiliations, home state, and dates of service in that office. See <http://history.house.gov/Institution/First-Milestones/Speaker-Fast-Facts/> for other “Speaker of the House Fast Facts” [e.g., youngest, oldest, etc.])

The Speaker as Leader of the House

Although the Constitution mentions the office of the Speaker, it is silent on duties of the office. Today, the Speaker possesses substantial powers under House rules. Among the duties performed are the following:

- Administering the oath of office to Members (the act of 1789 [2 U.S.C. 25] provides that, on the organization of the House, the oath shall be administered by any Member—traditionally the Member with the longest continuous service—to the Speaker and by the Speaker to the other Members);
- Calling the House to order (Rule I, clause 1);
- Preserving order and decorum within the chamber and in the galleries (Rule I, clause 2);
- Recognizing Members to speak and make motions (Rule XVII);¹²
- Deciding points of order (Rule I, clause 5);
- Counting a quorum (Rule XX, clause 7(c));
- Presenting the pending business to the House for a vote (Rule I, clause 6);
- Appointing Speakers *pro tempore* (Rule I, clause 8) and chairs of the Committee of the Whole (Rule XVIII, clause 1);¹³

¹² This provision is augmented by the provision in Rule XVI, clause 1, which states that the Speaker shall not entertain any dilatory motions.

¹³ By tradition, the Speaker does not preside over the Committee of the Whole but instead names a party colleague as chair. According to historian DeAlva Stanwood Alexander, this tradition has its roots in Stuart England, when conflicts over taxation arrayed the Crown against the Commons, and suspicion assumed the Speaker to be a tale bearer to the king. To avoid the Speaker’s espionage, Commons met in secret, electing a chairman in whom it had confidence. Even after any need for secrecy in its proceedings had passed, Commons continued to require that the Speaker withdraw whenever the Committee of the Whole convened. DeAlva Stanwood Alexander, *History and Procedure of the House of Representatives* (New York: Houghton Mifflin, 1916), pp. 257-258. The American tradition does not require the Speaker to withdraw from the deliberations of the Committee of the Whole but only that he or she not chair it.

- Certifying various actions of the House, including signing all acts and joint resolutions, writs, warrants, and subpoenas of (or issued to) the House (Rule I, clause 4);¹⁴
- Appointing select and conference committees (Rule I, clause 11);
- Appointing certain House officers (such as the inspector general under Rule II, clause 6; the historian of the House under Rule II, clause 7; and the general counsel under Rule II, clause 8);
- Referring measures to committee(s) (Rule XII, clause 2); and
- Examining and approving the *Journal* of the proceedings of the previous day's session (Rule I, clause 1).

The Speaker's powers offer him or her considerable latitude to exercise discretion. Under most circumstances, the Speaker has the authority to ask Members who seek recognition, "For what purpose does the gentleman (or gentlelady) rise?" The Speaker may then decide whether or not to recognize that Member for the specific reason given. In this way the Speaker is able to assert control over what motions may be made and therefore what measures will be considered and the general flow of House floor proceedings. House Rule XV, clause 1, allows the Speaker to entertain motions to suspend the rules on Mondays, Tuesdays, and Wednesdays and during the last six days of a session. Discretion over who may be recognized to make such motions gives the Speaker virtually complete control over the suspension process.¹⁵

The institutional role of the Speaker also extends beyond the duty to preside over the House. The Speaker also exercises general control over the Hall of the House and the House side of the Capitol (Rule I, clause 3) and serves as the chair of the House Office Building Commission. The Speaker is frequently authorized in statute to appoint Members to various boards and commissions, and it is typically the Speaker who is the formal recipient of reports or other communications from the President, government agencies, boards, and commissions.

The role of the Speaker also extends to the requirement in House Rule V, clause 1, that he or she administer a system for audio and video broadcasting of the proceedings of the House. Rule I, clause 9, provides for the Speaker, in consultation with the minority leader, to devise a system of drug testing in the House.

Finally, although it is not prescribed in any formal way, the elevated profile of the office of the Speaker often means he or she takes a leading role in negotiations with the Senate or President.

The Speaker as Party Leader

Under both Republican and Democratic majorities, Speakers have played similar roles as leaders of their parties. A Speaker's role as leader of the majority party is manifested in two ways: within the party conference or caucus and on the House floor.

Within the Republican Party conference, the Speaker acts as the chair of the party's Steering Committee (and has multiple votes on it) and thus plays a major part in the committee assignment process, because Members are nominated to serve on or chair committees by the Steering

¹⁴ Responses to subpoenas are also governed under Rule VIII.

¹⁵ See CRS Report 98-314, *Suspension of the Rules in the House: Principal Features*, by Elizabeth Rybicki, for explanation of the process by which the House considers legislation under suspension of the rules.

Committee. These nominations are subject to approval by the full party conference and subsequently by the House.¹⁶

In addition, the Speaker is empowered to make nominations directly for the Republican Conference's consideration for membership (including chairs) on the Rules Committee and the Committee on House Administration as well as one Member (to serve as the second-ranking Republican) on the Budget Committee. The conference rules also authorize the Speaker to recommend to the House all Republican Members of joint, select, and ad hoc committees.

House Republican Conference rules also provide for the Speaker to serve on the National Republican Congressional Committee. Because the Speaker's role as leader of the majority party in the House is sometimes at odds with his role as presiding officer of the chamber, House Republican Conference Rule 2(c) states:

A Member of the elected or designated Republican Leadership has an obligation, to the best of his or her ability, to support positions adopted by the Conference, and the resources of the Leadership shall be utilized to support that position.

Under the rules of the House Democratic Caucus (which are lengthier and more detailed than those of the Republican Conference), 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 co-chairs, two vice-chairs, and up to 15 of its Members. In addition, a Speaker would appoint one Member to the House Budget Committee and make appointments to joint and select committees and various boards and commissions, giving due consideration to spreading the workload among qualified and interested Democrats. He or she would nominate the Democratic membership on the Committees on Rules and House Administration and recommend to the caucus a nominee for chair of these committees. A Speaker of the Democratic Party also serves as a member of the Democratic Congressional Campaign Committee and nominates its chair.

The success of every person to hold the Speaker's office since the late 20th century has been judged, at least in part, on the basis of his or her ability to use personal prestige and the powers of persuasion and bargaining to enunciate and advance his or her party's vision and legislative agenda, as well as on success in maintaining majority control of the House. To accomplish these objectives, modern Speakers have used varying personal styles and engaged in a variety of activities not just in Congress or their party conference but outside as well.¹⁷ For example, they publicize their party's policies and achievements (by giving speeches, appearing on radio and television, holding press conferences, etc.), assist party Members who are seeking reelection, consult with Presidents about both Administration and congressional agendas and goals, and act as a spokesman for the opposition when the majority in the House is not the same party as the President. In the words of one commentator:

¹⁶ In the 104th Congress, it appears that the Speaker exerted further influence in the process of nominating Members to chair committees by naming a slate of candidates before the Steering Committee had been formed. Although the Speaker's choices require the approval of the Steering Committee before they are placed before the full conference, his influence was reported to have exceeded that of recent previous Speakers. Karen Foerstel, "House Chairmen: Gingrich Flexes His Power in Picking Panel Chiefs," *Congressional Quarterly Weekly Report*, vol. 52, November 19, 1994, p. 3326.

¹⁷ Jackie Koszczuk, "Master of the Mechanics Has Kept the House Running," *Congressional Quarterly Weekly Report*, vol. 57, December 11, 1999, p. 2960.

By Bradford Fitch

Includes
U.S. Constitution and
Declaration of Independence



Citizen's Handbook

To Influencing Elected Officials

Citizen Advocacy in
State Legislatures and Congress

To an increasing degree, the way for a Speaker to win support among colleagues is to influence public opinion.... [A] House leader now needs some credibility outside the institution in order to win on the inside.¹⁸

Bringing coherence and efficiency to a decentralized and individualistic legislative body requires a Speaker to use the entire range of tangible and intangible rewards that can be bestowed or withheld. In an interview, Speaker O'Neill once described how he wielded these various minor powers by saying:

You know, you ask me what are my powers and my authorities around here? The power to recognize on the floor; little odds and ends—like men get pride out of the prestige of handling the Committee of the Whole, being named Speaker for the day.... [T]here is a certain aura and respect that goes with the Speaker's office. He does have the power to pick up the telephone and call people. And Members oftentimes like to bring their local political leaders or a couple of mayors. And oftentimes they have problems from their area and they need aid and assistance.... We're happy to try to open the door for them, having been in the town for so many years and knowing so many people. We do know where a lot of bodies are and we do know how to advise people.¹⁹

The power to schedule legislation for floor consideration can be used in ways that reflect both institutional and partisan considerations. The Speaker is charged with ensuring that the House processes its fundamental annual workload, but determining what, when, and in which order measures reach the floor can help determine their fate. A week's delay in scheduling a controversial bill may work to enhance or minimize its chances for passage. According to Speaker O'Neill, it was one of his most important powers, because "if [a Speaker] doesn't want a certain bill to come up, it usually doesn't."²⁰

Similarly, the Speaker's authority to appoint conferees can be a powerful tool for influencing the final provisions of a bill. The Members appointed represent a complex balance of support for House, committee, and party positions as determined by the Speaker and are not subject to challenge.

Modern Speakers have also frequently had to act as mediators of conflicts within their parties. As one leader put it, this involves

[t]rying to mollify members who are angry with other members, trying to keep dangerous rifts from developing within the party. Sometimes getting people together of opposite viewpoints and letting them talk their problems out in a way that lets each understand that the other has a problem. Sometimes you can come to a compromise.²¹

Balancing parliamentary and partisan roles is not always easily accomplished. At the start of the 20th century, historian Mary Follett assessed this conundrum:

The Speaker ... is not only allowed, but expected to use his position to advance party interests. It must not be supposed, however, that this implies gross partisanship on the part of our Speakers. They neither attempt to use every inch of power to be conjured out

¹⁸ Alan Ehrenhalt, "Speaker's Job Transformed Under O'Neill," *Congressional Quarterly Weekly Report*, vol. 43, June 22, 1985, p. 1247.

¹⁹ Michael J. Malbin, "House Democrats Are Playing with a Strong Leadership Lineup," *National Journal*, vol. 9, June 18, 1977, p. 942.

²⁰ Thomas P. O'Neill Jr., *Man of the House* (New York: Random House, 1987), p. 273.

²¹ The unidentified leader was quoted in Barbara Sinclair, *Majority Leadership in the U.S. House* (Baltimore: Johns Hopkins University Press, 1983), p. 38.

of the rules, nor guide the House entirely from party motives. Their office has on the whole been administered with justness and fairness.²²

Another assessment states:

Tradition and unwritten law require that the Speaker apply the rules of the House consistently, yet in the twilight zone a large area exists where he may exercise great discrimination and where he has many opportunities to apply the rules to his party's advantage.²³

The Speaker as a Member of the House

Although elected as an officer of the House, the Speaker continues to be a Member of the House as well. Accordingly, the Speaker continues to have the same rights, responsibilities, and privileges as all Members. However, because of the Speaker's position as leader, 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.

Under the principles articulated in *Jefferson's Manual*,²⁴ the Speaker is typically heard only on matters of order, and it is highly irregular to speak on any other matter while presiding. The Speaker may speak from the floor (as would any other Member), and the precedents of the House include examples of the Speaker leaving the chair to speak from the well, make motions,²⁵ or debate points of order.²⁶ However, in most periods in the history of the House, these privileges were infrequently exercised.

Jonathan Dayton of New Jersey was the first Speaker to speak out on a matter in Committee of the Whole (during the Fourth Congress), and it was not until Henry Clay of Kentucky became Speaker that this practice became generally accepted. As late as 1850, Chauncy Cleveland of Connecticut, then a Member of the House, questioned whether it would

be right or just by the power of party to place a man in the Speaker's chair, and then compel him to use the influence of the chair when he had defined his position.... It was utterly impossible that the Speaker, after having taken his side upon the floor, could go back to the chair, and award the floor with the same impartiality as if he had never spoken.²⁷

Even today the Speaker does not typically participate in debate on the floor, although the Speaker may do so when he or she feels it necessary to highlight or rally support for the majority party's agenda.

The right of the Speaker to vote has also evolved over time. The first rules of the House provided:

²² Mary P. Follett, *The Speaker of the House of Representatives* (New York: Longmans Green, 1902), p. 300.

²³ Floyd M. Riddick, *The United States Congress: Organization and Procedure* (Washington: National Capitol Publishers, 1949), p. 67.

²⁴ Prepared by Thomas Jefferson while serving as Vice President (and President of the Senate), the *Manual* was adopted as a part of House rules beginning in 1837 to the extent that it is applicable and "not inconsistent with" the standing rules of the House (Rule XXIX).

²⁵ On April 4, 1864, Speaker Schuyler Colfax of Indiana came down from the chair to move a resolution to expel Representative Alexander Long of Ohio. He justified his action on the basis of Henry Clay's frequent speeches from the floor while Speaker, but, according to Asher Hinds, Colfax evidently "confused" Clay's actions in Committee of the Whole with participation during sessions of the House itself. See II *Hinds' Precedents*, §1367 and footnote.

²⁶ *Ibid.*, I, §1607.

²⁷ *Congressional Globe*, vol. 21, 31st Cong., 1st sess., January 14, 1850, p. 144.

In all cases of ballot by the House, the Speaker shall vote; in other cases he shall not vote, unless the House be equally divided, or unless his vote, if given to the minority, will make the division equal, and in case of such equal division, the question shall be lost.²⁸

The Speaker was thus prevented from voting on legislative matters, although the precedents of the House record several examples of Speakers voting contrary to this rule.²⁹ The Speaker was allowed to vote in Committee of the Whole, but most early Speakers apparently refrained from this practice as well. At least twice (in 1833 and 1837) the House debated proposals to compel the Speaker to vote on all questions, but these proposals were defeated.³⁰ It was not until 1850 that the rule was amended to allow the Speaker to vote at his discretion,³¹ and the modern form of the rule was not adopted until 1880. Rule I, clause 7, currently reads:

The Speaker is not required to vote in ordinary legislative proceedings, except when his vote would be decisive or when the House is engaged in voting by ballot.

Unlike other Representatives, the Speaker does not sit on any standing committees of the House.³² This was not always the case. The Rules Committee was for many years a select committee authorized to report a system of rules at the beginning of a Congress and later also to report from “time to time.” Beginning in 1858, and continuing after the Rules Committee was made a standing committee of the House in 1880, the Speaker served as chairman. This practice continued through 1910, when the House adopted a rule prohibiting the Speaker from sitting on the Rules Committee.³³ The formal prohibition was removed from House rules by the Legislative Reorganization Act of 1946,³⁴ but the tradition has continued. Today, the Speaker does not sit on the Rules Committee but does nominate the majority Members in the party conference, effectively making the Rules Committee an integral part of the leadership structure.

²⁸ *Annals of Congress*, vol. 1, 1st Cong., 1st sess., April 7, 1789, p. 99. The House customarily uses balloting only for the election of its officers, not for resolving legislative questions.

²⁹ V *Hinds' Precedents*, §§5966-5967.

³⁰ *Ibid.*, V, §5964.

³¹ For data on recorded votes cast by Speakers of the House from 1881-2006, see Matthew M. Green, *The Speaker of the House: A Study in Leadership* (New Haven, CT: Yale University Press, 2010), p. 55.

³² However, the Speaker is designated as an ex officio Member of the Permanent Select Committee on Intelligence under House Rule X, clause 11(a)(2).

³³ This restriction was adopted as a part of the so-called revolt against Speaker Joseph Cannon of Illinois at the beginning of the 61st Congress. See *Congressional Record*, vol. 45 (March 15-19, 1910).

³⁴ P.L. 79-601, 60 Stat. 812.

Appendix A. Speakers of the House of Representatives, 1789-2015

Speaker	Party/State	Congress	Dates
Frederick A. C. Muhlenberg	[NKPA] - PA	1 st 3 rd	Apr. 1, 1789-Mar. 3, 1791 Dec. 2, 1793-Mar. 3, 1795
Jonathan Trumbull	[NKPA] - CT	2 nd	Oct. 24, 1791-Mar. 3, 1793
Jonathan Dayton	[NKPA] - NJ	4 th -5 th	Dec. 7, 1795-Mar. 3, 1799
Theodore Sedgwick	[NKPA] - MA	6 th	Dec. 2, 1799-Mar. 3, 1801
Nathaniel Macon	[NKPA] - NC	7 th -9 th	Dec. 7, 1801-Mar. 3, 1807
Joseph B. Varnum	[NKPA] - MA	10 th -11 th	Oct. 26, 1807-Mar. 3, 1811
Henry Clay	R (DR) - KY	12 th -13 th 14 th -16 th 18 th	Nov. 4, 1811-Jan. 19, 1814 ^a Dec. 4, 1815-Oct. 28, 1820 ^b Dec. 3, 1823-Mar. 6, 1825 ^c
Langdon Cheves	R (DR) - SC	13 th	Jan. 19, 1814-Mar. 3, 1815
John W. Taylor	R (DR) - NY	16 th 19 th	Nov. 15, 1820-Mar. 3, 1821 Dec. 5, 1825-Mar. 3, 1827
Philip Barbour	R (DR) - VA	17 th	Dec. 4, 1821-Mar. 3, 1823
Andrew Stevenson	[NKPA] - VA Jacksonian - VA	20 th 21 st -23 rd	Dec. 3, 1827-Mar. 3, 1829 Dec. 7, 1829-June 2, 1834 ^d
John Bell	[NKPA] - TN	23 rd	June 2, 1834-Mar. 3, 1835
James K. Polk	Jacksonian - TN	24 th -25 th	Dec. 7, 1835-Mar. 3, 1839
Robert M. T. Hunter	W - VA	26 th	Dec. 16, 1839-Mar. 3, 1841
John White	W - KY	27 th	May 31, 1841-Mar. 3, 1843
John W. Jones	D - VA	28 th	Dec. 4, 1843-Mar. 3, 1845
John W. Davis	D - IN	29 th	Dec. 1, 1845-Mar. 3, 1847
Robert C. Winthrop	W - MA	30 th	Dec. 6, 1847-Mar. 3, 1849
Howell Cobb	D - GA	31 st	Dec. 22, 1849-Mar. 3, 1851
Linn Boyd	D - KY	32 nd -33 rd	Dec. 1, 1851-Mar. 3, 1855
Nathaniel P. Banks	American Party - MA ^e	34 th	Feb. 2, 1856-Mar. 3, 1857
James L. Orr	D - SC	35 th	Dec. 7, 1857-Mar. 3, 1859
William Pennington	R - NJ	36 th	Feb. 1, 1860-Mar. 3, 1861
Galusha A. Grow	R - PA	37 th	July 4, 1861-Mar. 3, 1863
Schuyler Colfax	R - IN	38 th -40 th	Dec. 7, 1863-Mar. 3, 1869 ^f
Theodore M. Pomeroy	R - NY	40 th	Mar. 3, 1869 ^g
James G. Blaine	R - ME	41 st -43 rd	Mar. 4, 1869-Mar. 3, 1875
Michael C. Kerr	D - IN	44 th	Dec. 6, 1875-Aug. 19, 1876 ^h

Speaker	Party/State	Congress	Dates
Samuel J. Randall	D - PA	44 th -46 th	Dec. 4, 1876-Mar. 3, 1881
J. Warren Keifer	R - OH	47 th	Dec. 5, 1881-Mar. 3, 1883
John G. Carlisle	D - KY	48 th -50 th	Dec. 3, 1883-Mar. 3, 1889
Thomas B. Reed	R - ME	51 st	Dec. 2, 1889-Mar. 3, 1891
		54 th -55 th	Dec. 2, 1895-Mar. 3, 1899
Charles F. Crisp	D - GA	52 nd -53 rd	Dec. 7, 1891-Mar. 3, 1895
David B. Henderson	R - IA	56 th -57 th	Dec. 4, 1899-Mar. 3, 1903
Joseph G. Cannon	R - IL	58 th -61 st	Nov. 9, 1903-Mar. 3, 1911
James B. (Champ) Clark	D - MO	62 nd -65 th	Apr. 4, 1911-Mar. 3, 1919
Frederick H. Gillett	R - MA	66 th -68 th	May 19, 1919-Mar. 3, 1925
Nicholas Longworth	R - OH	69 th -71 st	Dec. 7, 1925-Mar. 3, 1931
John Nance Garner	D - TX	72 nd	Dec. 7, 1931-Mar. 3, 1933
Henry T. Rainey	D - IL	73 rd	Mar. 9, 1933-Aug. 19, 1934 ⁱ
Joseph W. Byrns	D - TN	74 th	Jan. 3, 1935-June 4, 1936 ^j
William B. Bankhead	D - AL	74 th -76 th	June 4, 1936-Sept. 15, 1940 ^k
		76 th -79 th	Sept. 16, 1940-Jan. 3, 1947
		81 st -82 nd	Jan. 3, 1949-Jan. 3, 1953
Sam T. Rayburn	D - TX	84 th -87 th	Jan. 5, 1955-Nov. 16, 1961 ^l
		80 th	Jan. 3, 1947-Jan. 3, 1949
Joseph W. Martin Jr.	R - MA	83 rd	Jan. 3, 1953-Jan. 3, 1955
		87 th -91 st	Jan. 10, 1962-Jan. 3, 1971
John W. McCormack	D - MA	87 th -91 st	Jan. 10, 1962-Jan. 3, 1971
Carl B. Albert	D - OK	92 nd -94 th	Jan. 21, 1971-Jan. 3, 1977
Thomas P. O'Neill Jr.	D - MA	95 th -99 th	Jan. 4, 1977-Jan. 3, 1987
James C. Wright Jr.	D - TX	100 th -101 st	Jan. 6, 1987-June 6, 1989 ^m
Thomas S. Foley	D - WA	101 st -103 rd	June 6, 1989-Jan. 3, 1995
Newt Gingrich	R - GA	104 th -105 th	Jan. 4, 1995- Jan. 3, 1999
J. Dennis Hastert	R - IL	106 th -109 th	Jan. 6, 1999- Jan. 3, 2007
Nancy Pelosi	D - CA	110 th -111 th	Jan. 4, 2007- Jan. 3, 2011
John A. Boehner	R - OH	112 th -114 th	Jan. 5, 2011-Oct. 29, 2015 ⁿ
Paul D. Ryan	R - WI	114 th -	Oct. 29, 2015-

Notes: Party affiliations are indicated by initials:

[NKPA] - No Known Party Affiliation

R (DR) - Republican or Democratic-Republican Party (the Jeffersonian precursor of the Democratic Party)

W - Whig Party

D - Democratic Party

R - Republican Party

- a. Resigned from office, January 19, 1814, to serve on the negotiating team that produced the Treaty of Ghent, ending the War of 1812.

- b. Resigned from the speakership on October 28, 1820.
- c. Resigned from office on March 6, 1825, to serve as Secretary of State.
- d. Resigned from office on June 2, 1834.
- e. Speaker Banks served in the House three separate times under three different party designations. In the 34th Congress, he served as a Member of the American Party.
- f. Resigned from office on March 3, 1869, to serve as Vice President.
- g. Elected Speaker on March 3, 1869, and served one day.
- h. Died in office on August 19, 1876.
- i. Died in office on August 19, 1934.
- j. Died in office on June 4, 1936.
- k. Died in office on September 15, 1940.
- l. Died in office on November 16, 1961.
- m. Speaker Wright resigned the speakership on June 6, 1989, and subsequently resigned from the House on June 30, 1989.
- n. Resigned the speakership on October 29, 2015, upon the election of his successor (and resigned from the House, effective October 31, 2015).

Appendix B. Select Bibliography

- Albert, Carl Bert. *Little Giant: The Life and Times of Speaker Carl Albert*. Norman: University of Oklahoma Press, 1990.
- Bentley, Judith. *Speakers of the House*. New York: Franklin Watts Inc., 1994.
- Biggs, Jeffrey R. *Honor in the House: Speaker Tom Foley*. Pullman: University of Washington Press, 1999.
- Clancy, Paul R. *Tip, A Biography of Thomas P. O'Neill, Speaker of the House*. New York: Macmillan, 1980.
- Cheney, Richard B. and Lynne V. Cheney. *Kings of the Hill: Power and Personality in the House of Representatives*. New York: Continuum, 1983.
- Chiu, Chang-wei. *The Speaker of the House of Representatives Since 1896*. New York: Columbia University Press, 1928; reprint edition New York: AMS Press, 1968.
- Cooper, Joseph and David W. Brady. "Institutional Context and Leadership Style: The House from Cannon to Rayburn," *American Political Science Review*, vol. 75 (June 1981).
- Davidson, Roger H., Susan Webb Hammond, and Raymond Smock. *Masters of the House: Congressional Leadership Over Two Centuries*. Boulder, CO: West Press, 1998.
- Follett, Mary P. *The Speaker of the House of Representatives*. New York: Longmans Green, 1902; reprint edition New York: Burt Franklin, 1974.
- Fuller, Hubert Bruce. *The Speaker of the House*. Boston: Little Brown, 1909; reprint edition New York: Arno Press, 1974.
- Green, Matthew N. *The Speaker of the House: A Study of Leadership*. New Haven: Yale University Press, 2010.
- Harris, Douglas B. "The Rise of the Public Speakership," *Political Science Quarterly*, vol. 113 (summer 1998).
- Hinds, Asher C. "The Speaker of the House of Representatives: Origin of the Office, Its Duties and Powers," *American Political Science Review*, vol. 3 (May 1909).
- Hitchner, Dell G. "The Speaker of the House of Representatives," *Parliamentary Affairs*, vol. 13 (spring 1960).
- Kennon, Donald R., ed. *The Speakers of the U.S. House of Representatives: A Bibliography, 1789-1984*. Baltimore: Johns Hopkins University Press, 1986.
- Moser, Charles A. *The Speaker and the House: Coalitions and Power in the United States House of Representatives*. Washington: Free Congress Research and Education Foundation, 1979.
- O'Neill, Thomas P. Jr. *Man of the House*. New York: Random House, 1987.
- Peters, Ronald M. *The American Speakership: The Office in Historical Perspective (2nd ed.)*. Baltimore: Johns Hopkins University Press, 1997.
- , ed. *The Speaker: Leadership in the U.S. House of Representatives*. Washington: Congressional Quarterly, 1995.
- Peabody, Robert L. *Leadership in Congress: Stability, Succession, and Change*. Boston: Little Brown, 1976.

- Ripley, Randall B. *Party Leaders in the House of Representatives*. Washington: Brookings Institution, 1967.
- Rohde, David W. *Parties and Leaders in the Postreform House*. Chicago: University of Chicago Press, 1991.
- Sinclair, Barbara. *Majority Leadership in the U.S. House*. Baltimore: Johns Hopkins University Press, 1983.
- . *Legislators, Leaders, and Lawmaking: The U.S. House of Representatives in the Postreform Era*. Baltimore: Johns Hopkins University Press, 1995.
- Smith, Steven S. “O’Neill’s Legacy for the House,” *Brookings Review*, vol. 5 (Winter 1987).
- Smith, William Henry. *Speakers of the House of Representatives of the United States*. New York: AMS Press, 1971.

Author Contact Information

Valerie Heitshusen
Specialist on Congress and the Legislative Process
vheitshusen@crs.loc.gov, 7-8635

Acknowledgments

This report was written by James V. Saturno. The listed author has updated the report and is available to respond to any inquiries on the topic.

Learn how Capitol Hill really works

All of our programs and any combination of their topics can be tailored for on-site training for your organization.

For more than 35 years, TheCapitol.Net and its predecessor, Congressional Quarterly Executive Conferences, have been teaching professionals from government, military, business, and NGOs about the dynamics and operations of the legislative and executive branches and how to work with them.

Our custom, on-site training and publications include congressional operations, legislative and budget process, communication and advocacy, media and public relations, research, testifying before Congress, legislative drafting, critical thinking and writing, and more.

- **Diverse Client Base**—We have tailored hundreds of custom on-site training programs for Congress, numerous agencies in all federal departments, the military, law firms, lobbying firms, unions, think tanks and NGOs, foreign delegations, associations and corporations, delivering exceptional insight into how Washington works.™
- **Experienced Program Design and Delivery**—We have designed and delivered hundreds of custom programs covering congressional/legislative operations, budget process, media training, writing skills, legislative drafting, advocacy, research, testifying before Congress, grassroots, and more.
- **Professional Materials**—We provide training materials and publications that show how Washington works. Our publications are designed both as course materials and as invaluable reference tools.
- **Large Team of Experienced Faculty**—More than 150 faculty members provide independent subject matter expertise. Each program is designed using the best faculty member for each session.
- **Non-Partisan**—TheCapitol.Net is non-partisan.
- **GSA Schedule**—TheCapitol.Net is on the GSA Schedule, 874-4, for custom on-site training: GSA Contract GS02F0192X.

Please see our Capability Statement on our web site at TCNCS.com.

Custom training programs are designed to meet your educational and training goals, each led by independent subject-matter experts best qualified to help you reach your educational objectives and align with your audience.

As part of your custom program, we can also provide classroom space, breaks and meals, receptions, tours, and online registration and individual attendee billing services.

For more information about custom on-site training for your organization, please see our web site: TCNCustom.com or call us: 202-678-1600, ext 115.



TheCapitol.Net

Non-partisan training and publications that show how Washington works.™

PO Box 25706, Alexandria, VA 22313-5706
202-678-1600 • www.thecapitol.net



TheCapitol.Net is on the
GSA Schedule, 874-4,
for custom on-site training.
GSA Contract GS02F0192X

