

With God's help, with your understanding and support, I am now prepared to take the oath of office.

[Applause, the Members rising.]

The SPEAKER-ELECT,⁽²⁴⁾ Will the gentleman from Mississippi [Mr. WHITTEN] please come forward to administer the oath of office?

Mr. [Jamie] WHITTEN [of Mississippi] then administered the oath of office to Mr. FOLEY of Washington.

[Applause, the Members rising.]

§ 5. Speaker as Presiding Officer

Once the Speaker has been elected and the oath of office administered, the Speaker presides over the completion of other organizational steps at the beginning of a new Congress. These steps proceed pursuant to constitutional and statutory requirements and occur in a prescribed order that derives from precedents and customs established over the course of many decades of prior practice. Three matters of organizational business are required by the Constitution. First, the Speaker must administer the oath of office to Members-elect.⁽¹⁾ Second, the Speaker presides over the election of other officers of the House.⁽²⁾ Third, the House must formally adopt the standing rules to govern proceedings for that Congress.⁽³⁾ Another organizational step that is required by statute (rather than the Constitution) is the administration of the oath of office to the newly-elected officers of the House.⁽⁴⁾

Finally, other organizational business occurs traditionally as a matter of custom or precedent. For example, the House will formally notify the Senate that a quorum of the House has assembled and that officers of the House have been elected.⁽⁵⁾ The House will also notify the President that a quorum

24. Thomas Foley (WA).

1. "The Senators and Representatives before mentioned...shall be bound by Oath or Affirmation, to support this Constitution..." U.S. Const. art. VI, cl. 3; *House Rules and Manual* § 196–206 (2017). The form of the oath of office is provided by law. 5 U.S.C. § 3331.
2. "The House of Representatives shall chuse their Speaker and other Officers..." U.S. Const. art. I, § 2, cl. 5; *House Rules and Manual* § 26–30 (2017).
3. "Each House may determine the Rules of its Proceedings..." U.S. Const. art. I, § 5, cl. 2; *House Rules and Manual* § 58 (2017).
4. *Parliamentarian's Note*: Officers of the House take the same oath as Members of the House. 5 U.S.C. § 3331. Technically, the law only requires the Speaker to administer the oath of office to the Clerk of the House (2 U.S.C. § 26), but by long custom the oath is administered to all officers of the House. 1 Hinds' Precedents § 81. For more on the administration of the oath of office to officers of the House, see Deschler's Precedents Ch. 6 § 17 and Precedents (Wickham) Ch. 6.
5. See, e.g., 163 CONG. REC. H6 [Daily Ed.], 115th Cong. 1st Sess. (Jan. 3, 2017).

of the House has assembled,⁽⁶⁾ as well as the House's selection of Speaker and Clerk.⁽⁷⁾ The House customarily adopts a privileged resolution to establish the daily hours of meeting for that session of Congress.⁽⁸⁾ Though not necessarily part of the organization of the House, a resolution authorizing a joint session to hear the President's address on the state of the Union is commonly adopted on opening day (or soon thereafter).⁽⁹⁾ The Speaker also makes various announcements to the House on opening day concerning the transaction of business during *sine die* adjournment.⁽¹⁰⁾ Formerly, the House would often authorize the Speaker to declare recesses during organization,⁽¹¹⁾ but the Chair's discretion to call recesses of the House has expanded considerably in recent years, and thus such authorization is now generally not needed.⁽¹²⁾ Unanimous-consent requests may be entertained during organization,⁽¹³⁾ and the House may also receive messages.⁽¹⁴⁾

With respect to a second (or subsequent) session of the same Congress, the Speaker presides over the organization of the House for that session,

6. *Parliamentarian's Note*: Prior to the 104th Congress, the Dean of the House (the Member with the longest continuous service in the House) would customarily offer these resolutions of notification. However, beginning in 1995, the Majority Leader has typically performed this function.
7. *Parliamentarian's Note*: The House informs the President that a quorum has assembled by establishing a select committee to formally transmit the message. On opening day of the 63d Congress (1913), Members debated the ability of the House to take certain actions prior to the adoption of rules (specifically, whether a motion to commit was available under general parliamentary law). Speaker Champ Clark of Missouri, in response to the suggestion that the resolution establishing a committee to notify the President of the assembly of the House was adopted by unanimous consent, stated that such resolution was in fact raised as a privileged question. Rep. Thomas Hardwick of Georgia elaborated that the privileged nature of said resolution must stem from the fact that "it is a necessary part of the organization work of this House." Since that time, it has been accepted that the notification to the President of the assembly of the House is a matter of privilege that does not require unanimous consent. 50 CONG. REC. 72, 63d Cong. 1st Sess. (Apr. 7, 1913).
8. See § 9.2, *infra*.
9. Deschler's Precedents Ch. 1 § 3.4.
10. See § 5.2, *infra*. For other examples of announcements made by the Speaker during organization, see Deschler's Precedents Ch. 1 §§ 7.7–7.10.
11. Deschler's Precedents Ch. 1 §§ 7.2, 7.3.
12. For more on recess authority generally, see Deschler's Precedents Ch. 39 and Precedents (Wickham) Ch. 39.
13. Deschler's Precedents Ch. 1 §§ 8.1, 8.2. For examples of unanimous-consent requests entertained during organization of a second session, see 124 CONG. REC. 111, 95th Cong. 2d Sess. (Jan. 19, 1978) and 126 CONG. REC. 216, 96th Cong. 2d Sess. (Jan. 22, 1980).
14. Deschler's Precedents Ch. 1 § 8.3.

though the number of required steps is necessarily fewer than on opening day of a new Congress. At a second (or subsequent) session, the Speaker and other officers have already been elected, Members have already taken the oath of office, and standing rules have already been adopted. What remains are primarily administrative, informational, and ceremonial functions for the Speaker to perform. For example, the Speaker makes announcements to the body regarding actions taken or other matters occurring during *sine die* adjournment. The Senate and the President are informed that a quorum of the House has assembled for that session of Congress. The standing order regarding the daily hour of meeting must be adopted for the new session.⁽¹⁵⁾

Speaker Presiding at Organization

§ 5.1 Following the election of Speaker at the opening of a new Congress, the Speaker⁽¹⁶⁾ presides over the following organizational steps: (1) administration of the oath of office to Members-elect; (2) election of officers of the House and the administration of the oath of office to such individuals; (3) adoption of a resolution informing the Senate that a quorum of the House has assembled and officers have been elected; (4) adoption of a resolution authorizing the appointment of a committee to inform the President that a quorum of the House has assembled and officers have been elected; (5) adoption of the rules of the House; and (6) adoption of a resolution establishing the daily hour of meeting for the first session of the Congress.

On January 3, 2013,⁽¹⁷⁾ the following organizational steps were taken with the newly-elected Speaker of the House presiding:

SWEARING IN OF MEMBERS

The SPEAKER.⁽¹⁸⁾ According to precedent, the Chair will swear in the Members-elect en masse.

The Members-elect will rise and raise their right hands.

15. See § 9.2, *infra*.

16. *Parliamentarian's Note*: While the Speaker generally presides over most of the organizational steps described here, the Speaker may appoint a Speaker pro tempore to preside instead. Typically, a Speaker pro tempore assumes the Chair following the administration of the oath of office to the elected officers of the House.

17. 159 CONG. REC. H5, H6, H20–H22, H24 [Daily Ed.], 113th Cong. 1st Sess. For an earlier example of the Speaker presiding at organization, see Deschler's Precedents Ch. 1 § 5.1.

18. John Boehner (OH).

The Members—elect rose, and the Speaker administered the oath of office to them as follows:

Do you solemnly swear or affirm that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now Members of the 113th Congress. . . .

ELECTING OFFICERS OF THE HOUSE OF REPRESENTATIVES

Mrs. [Cathy] McMORRIS RODGERS [of Washington]. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1

Resolved That Karen L. Haas of the State of Maryland; be, and is hereby, chosen Clerk of the House of Representatives;

That Paul D. Irving of the State of Florida be, and is hereby, chosen Sergeant-at-Arms of the House of Representatives;

That Daniel J. Strodel of the District of Columbia be, and is hereby, chosen Chief administrative Officer of the House of Representatives; and

That Father Patrick J. Conroy of the State of Oregon, be, and is hereby, chosen Chaplain of the House of Representatives.

Mrs. McMORRIS RODGERS. Mr. Speaker, I yield to the gentleman from California (Mr. BECERRA) for the purpose of offering an amendment.

Mr. [Xavier] BECERRA [of California]. I thank the gentlelady for yielding.

Mr. Speaker, I have an amendment to the resolution, but before offering the amendment, I request that there be a division of the question on the resolution so that we may have a separate vote on the Chaplain.

The SPEAKER. The question will be divided.

The question is on agreeing to that portion of the resolution providing for the election of the Chaplain.

That portion of the resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDMENT OFFERED BY MR. BECERRA

Mr. BECERRA. Mr. Speaker, I offer an amendment to the remainder of the resolution.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BECERRA:

That Catlin W. O'Neill of the District of Columbia be, and is hereby, chosen Clerk of the House of Representatives;

That Diane Dewhirst of the District of Columbia be, and is hereby, chosen Sergeant-at-Arms of the House of Representatives; and

That Richard Meltzer of the State of Illinois be, and is hereby, chosen Chief Administrative Officer of the House of Representatives.

The SPEAKER. The question is on the amendment offered by the gentleman from California.

The amendment was rejected.

The SPEAKER. The question is on the remainder of the resolution offered by the gentlewoman from Washington.

The remainder of the resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair will now swear in the officers of the House.

The officers presented themselves in the well of the House and took the oath of office as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations.

TO INFORM THE SENATE THAT A QUORUM OF THE HOUSE HAS ASSEMBLED
AND OF THE ELECTION OF THE SPEAKER AND THE CLERK

Mr. [Eric] CANTOR [of Virginia]. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 2

Resolved, That the Senate be informed that a quorum of the House of Representatives has assembled; that John A. Boehner, a Representative from the State of Ohio, has been elected Speaker; and that Karen L. Haas, a citizen of the State of Maryland, has been elected Clerk of the House of Representatives of the One Hundred Thirteenth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE SPEAKER TO APPOINT A COMMITTEE TO NOTIFY THE
PRESIDENT OF THE ASSEMBLY OF THE CONGRESS

Mr. CANTOR. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 3

Resolved, That a committee of two Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and Congress is ready to receive any communication that he may be pleased to make.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO INFORM THE PRESIDENT OF THE ELECTION
OF THE SPEAKER AND THE CLERK

Mr. [John] DINGELL [of Michigan]. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 4

Resolved, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected John A. Boehner, a Representative from the State of Ohio as Speaker, and Karen L. Haas, a citizen of the State of Maryland as Clerk, of the House of Representatives of the One Hundred Thirteenth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table. . . .

RULES OF THE HOUSE

Mr. CANTOR. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 5

Resolved, That the Rules of the House of Representatives of the One Hundred Twelfth Congress, including applicable provisions of law or concurrent resolution that constituted rules of the House at the end of the One Hundred Twelfth Congress, are adopted as the Rules of the House of Representatives of the One Hundred Thirteenth Congress, with amendments to the standing rules as provided in section 2, and with other orders as provided in sections 3, 4, and 5. . . .

Mr. GEORGE MILLER of California (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading of the motion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to commit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to commit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. GEORGE MILLER of California. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—yeas 194, nays 229, not voting 6, as follows: . . .

The SPEAKER pro tempore (Mr. [Thomas] LATHAM [of Iowa]). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. [Louise] SLAUGHTER [of New York]. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 228, nays 196, not voting 5, as follows: . . .

APPOINTMENT AS MEMBERS OF COMMITTEE TO NOTIFY THE PRESIDENT,
PURSUANT TO HOUSE RESOLUTION 3

The SPEAKER pro tempore.⁽¹⁹⁾ Without objection, pursuant to House Resolution 3, the Chair announces the Speaker's appointment of the following Members to the committee on the part of the House to join a committee on the part of the Senate to notify the President of the United States that a quorum of each House has assembled and that Congress is ready to receive any communication that he may be pleased to make:

The gentleman from Virginia (Mr. CANTOR) and

The gentlewoman from California (Ms. PELOSI).

There was no objection. . . .

FIXING THE DAILY HOUR OF MEETING OF THE FIRST SESSION OF THE 113TH
CONGRESS

Mr. [Pete] SESSIONS [of Texas]. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 9

Resolved, That unless otherwise ordered, the hour of daily meeting of the House shall be 2 p.m. on Monday; noon on Tuesdays (or 2 p.m. if no legislative business was conducted on the preceding Monday); noon on Wednesdays and Thursdays; and 9 a.m. on all other days of the week.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Announcements

§ 5.2 Following the election of the Speaker of the House on opening day of a new Congress, the Speaker may make announcements to the body regarding events occurring during *sine die* adjournment, such as the appointment of individuals to boards and commissions.

On January 4, 1995,⁽²⁰⁾ the following announcement was made:

19. Jo Ann Emerson (MO).

20. 141 CONG. REC. 559, 104th Cong. 1st Sess.

APPOINTMENTS AFTER SINE DIE ADJOURNMENT AND FOLLOWING THE PUBLICATION OF THE FINAL ADDITION OF THE CONGRESSIONAL RECORD OF THE 103RD CONGRESS

Pursuant to the provisions of section 303(a) of Public Law 103–3, and the order of the House of Friday, October 7, 1994 authorizing the Speaker and the minority leader to appoint commissions, boards and committees authorized by law or by the House, the Speaker on Thursday, December 22, 1994 did appoint to the Commission on Leave the following Member of the House to fill the existing vacancy thereon:

Mrs. SCHROEDER of Colorado.

Pursuant to the provisions of section 270002 of Public Law 103–322, and the order of the House of Friday, October 7, 1994 authorizing the Speaker and the minority leader to appoint commissions, boards and committees authorized by law or by the House, the Speaker on Thursday, December 22, 1994, did appoint to the National Commission on Crime Prevention and Control the following members on the part of the House:

Mr. Thomas F. Railsback, Moline, IL.

Mr. Werner W. Brandt, Arlington, VA.

And on January 3, 1995 did also appoint:

Mr. Jeffrey A. Teitz, Newport, RI.

Mr. Larry Erickson, Spokane, WA.

Mr. Jonathan R. Yarowsky, Washington, DC.

Mr. Michael J. O'Neill, Oakton, VA.

Pursuant to the provisions of section 1 of 2 U.S.C. 154, as amended by section 1 of Public Law 102–246, and the order of the House of Friday, October 7, 1994 authorizing the Speaker and the minority leader to accept resignations and to make appointments authorized by law or by the House, the Speaker on Friday, December 23, 1994 did appoint to the Library of Congress Trust Fund Board the following members on the part of the House:

Mr. Peter Lynch, Boston, MA to fill the unexpired term of Mr. Robert Rubin.

Mr. Thomas S. Foley, Washington, DC, to a 4-year term.

and on Tuesday, January 3, 1995 did also appoint:

Mr. Lawrence Tisch, New York, NY, to a 2-year term.

§ 6. Adoption of Rules

After the House has completed the initial organizational steps of conducting the quorum call for Members–elect, electing the Speaker (and other officers), and administering the oath of office to the membership, it is ready to proceed to the adoption of standing rules.⁽¹⁾ Before the standing rules are adopted, the House is not technically bound by any particular rules of procedure (apart from those required under the Constitution). The rules of the

1. *Parliamentarian's Note*: The adoption of rules usually proceeds after the adoption of resolutions notifying the Senate and the President that the House has assembled, but there have been variations in this practice. See Deschler's Precedents Ch. 1 § 10.3.