

# CRS Report for Congress

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## Parliamentary Reference Sources: House of Representatives

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# Parliamentary Reference Sources: House of Representatives

## Summary

House procedures are not based solely on the chamber's rules. The foundations of House parliamentary procedure also include constitutional mandates, rules of parliamentary practice set forth in *Jefferson's Manual*, published precedents, rule-making statutes, committee rules, "memorandums of understanding" regarding committee jurisdiction, the rules of each party's caucus or conference, and informal practices. Parliamentary reference sources provide information about how and when these foundations of House procedures govern different parliamentary situations.

This report discusses the availability and format of three types of parliamentary reference materials: official sources such as the *House Rules and Manual* and the published precedents; publications of committees and offices of the House; and documents prepared by House party and leadership organizations. The report also reviews some principles of House parliamentary procedure that are important to consider when using information from parliamentary reference sources.

The appendices provide citations to each reference source described in this report, a list of related Congressional Research Service (CRS) products, and a summary of House parliamentary reference information available through the Internet.

This report assumes a basic familiarity with House procedures. Information about Senate parliamentary reference sources is covered in CRS Report RL30788, *Parliamentary Reference Sources: Senate*.

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# Parliamentary Reference Sources: House of Representatives

## Introduction

House procedures are not based solely on the chamber's rules. The foundations of House parliamentary procedure also include constitutional mandates, rules of parliamentary practice set forth in *Jefferson's Manual*, published precedents, rule-making statutes, committee rules, "memorandums of understanding" regarding committee jurisdiction, the rules of each party's caucus or conference, and informal practices. Various reference sources provide information about when and how these foundations govern specific parliamentary situations. This report discusses three types of reference sources:

- official reference sources such as the *House Rules and Manual*, publications containing the precedents of the House, rule-making statutes, and the rules adopted by House committees;
- publications of House committees (e.g., *Floor Procedure in the U.S. House of Representatives* from the House Rules Committee), and offices of the House (e.g., *How Our Laws Are Made* from the Office of the House Parliamentarian); and
- documents prepared by House party and leadership organizations for Members belonging to each party (e.g., rules of the Democratic Caucus and rules of the Republican Conference).

This report begins by reviewing some important principles of House procedure to keep in mind when using parliamentary reference sources. Next, the report describes the contents and format of key parliamentary reference sources. Sample pages from the official reference sources are provided. Information on how to access each reference source, including versions available through the Internet, is presented in boxes following the source's description. **Appendix A** furnishes citations for each reference source covered in this report, and for related Congressional Research Service (CRS) products. A summary of House parliamentary reference information available through the Internet is provided in **Appendix B**.

Official guidance on House parliamentary procedure is available from the Office of the House Parliamentarian (5-7373). CRS staff (7-5700) also can assist with clarifying House rules and procedures.

## Principles of House Parliamentary Procedure

When using parliamentary reference materials, the reader should bear in mind that the following principles of House procedure remain constant regardless of the parliamentary situation: House procedures are determined by multiple sources, not by the chamber's rules alone; the House has a constitutional power to make its own rules of procedure; House rules are generally not self-enforcing; the House rarely disregards its precedents; and the House adheres to many informal practices. Each of these principles is discussed below.

### House Procedures Are Determined by Multiple Sources

The rules of the House may be the most obvious source of House parliamentary procedure, but they are by no means the only source. Other sources of House procedures include

- requirements imposed by the Constitution, particularly those in Article I, Section 5;
- rules of parliamentary practice set forth in Jefferson's Manual;
- published precedents of the House;
- rule-making provisions of statutes (hereafter referred to as "rule-making statutes");
- rules of procedure adopted by each committee;
- "memorandums of understanding" (often called "letters of agreement") regarding committee jurisdiction;
- rules of each party's caucus or conference; and
- informal practices that the House adheres to by custom.

A related principle is that these sources of House procedures are not mutually exclusive; they interact in parliamentary situations. As a result, it is important to consider how different sources might affect the parliamentary situation at hand.

### Constitutional Rule-Making Authority of the House

Article I of the Constitution gives the House the authority to determine its rules of procedure. There are two dimensions to the House's constitutional rule-making authority. First, the House can decide which rules should govern its internal procedures. The House exercises this rule-making power at the beginning of each Congress when it re-adopts the chamber's rules from the previous Congress, and approves any amendments or new rules. The House also uses its rule-making power when it enacts rule-making provisions in statutes such as the Congressional Budget and Impoundment Act of 1974, and when it adopts a special rule that defines specific

procedures for considering a measure on the floor. Special rules and rule-making statutes have the same standing and effect as the rules of the House, because they are both created through an exercise of the House's constitutional rule-making authority.

The second dimension to the House's rule-making authority is that the House can determine when its rules of procedure should not govern. In practical terms, this means the House can grant unanimous consent to undertake parliamentary actions that violate the chamber's rules, or, by a two-thirds vote, suspend the rules for consideration of a measure. Moreover, by majority vote, the House can adopt a special rule waiving points of order that members could normally raise under the rules of the House or under a rule-making statute.

## **House Rules Are Generally Not Self-Enforcing**

The presiding officer (the Speaker when in the House; the chairman when in Committee of the Whole) does not always call to the chamber's attention that a violation of House rules is taking place. The House often can violate its procedures unless a Member makes a point of order that the proposed action violates a rule or precedent of the House, or a source of procedure that has the same standing as a House rule (e.g., rule-making statute, a special rule). When a point of order is raised, the chair makes a ruling, and often provides an explanation of the parliamentary logic behind the ruling.<sup>1</sup> Rulings of the chair on a point of order can be reversed by a majority vote of the full House, but in practice these rulings are seldom challenged.

It should be noted that parliamentary actions undertaken on the basis of an informal practice, or rules of a party caucus or conference, are not enforceable on the House floor. While informal practices and party caucus and conference rules are sources of House parliamentary procedure, they are not produced through an exercise of the chamber's constitutional rule-making authority, and hence do not have the same standing as the chamber's rules. Rules of each party's caucus or conference are created and enforced by one party, and informal practices evolve over the years as custom. Rules of procedure adopted by each House committee generally cannot be enforced on the House floor, though they can be enforced in the committee that adopts them.

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<sup>1</sup> When a point of order is raised, there are a few situations when the chair does not make a ruling. For example, the chair does not rule on the points of order established by the Unfunded Mandates Reform Act of 1995 (P.L. 104-4). When a Member raises a point of order against considering a measure containing unfunded mandates, the House votes on whether to consider the measure after 10 minutes of debate. See CRS General Distribution Memorandum, *Unfunded Mandates: Procedure in the House*, by Richard S. Beth, Jan. 31, 2000.

## **The House Rarely Disregards Its Precedents**

The published precedents of the House set forth how the chamber has interpreted and applied the chamber's rules. In practice, the published precedents both complement and supplement the rules of the House. The close interplay between the precedents and the chamber's rules is such that it may be necessary to consult the published precedents for guidance on how each rule has been applied. Historically, the House rarely disregards its precedents.

Precedents are analogous to case law in their effect. Just as attorneys in court will cite previous judicial decisions to support their arguments, Members will cite precedents of the House to support their point of order, or to defend against one. Similarly the chair will often support a ruling by citing the decisions of predecessors. In this way, precedents influence the manner in which current House rules are applied by relating past decisions to the specific case before the chamber.

Most precedents are formed when the chair rules on a point of order, deciding either to sustain or overrule it. As mentioned in the previous section, the chair's ruling is almost never appealed. Precedents also can be created when the chair responds to a parliamentary inquiry, or when the House makes a decision by a majority vote (e.g., to adopt a certain type of special rule, to accept a decision of a committee).

Precedents do not carry equal weight. Those based on the chair's disposition of points of order or on a decision of the House by majority vote have more weight than those based on the chair's response to parliamentary inquiries. In addition, more recent precedents generally have greater weight than earlier ones, and a precedent that is part of an evolved pattern will have more weight than one that is isolated in its effect. Moreover, all precedents must be evaluated in the historical context of the rules and practices at the time they were established. Because of the need to consider these various principles, Members needing to find precedents to support or rebut an argument might wish to seek the official advice of the House parliamentarian (5-7373).

## **The House Adheres to Many Informal Practices**

Some House procedural actions are undertaken on the basis of informal practices that have evolved over the years and become accepted custom. These informal practices are not compiled in any written source of authority, and technically cannot be enforced on the House floor. In practice, however, these informal practices are rarely challenged on the House floor. Contemporary examples of House procedures determined by informal practices include the practices of recognizing members for one-minute and special order speeches, and giving members of the committee or subcommittee reporting a bill priority recognition for offering floor amendments.

## Official House Parliamentary Reference Sources

Official House parliamentary reference sources are those that provide an official record of House rules, procedures, and precedents. Members usually cite them when raising a point of order or defending against one. The following official sources are described in this section of the report:

- sources compiled in the *House Rules and Manual*: summary of rules changes, Constitution, portions of *Jefferson's Manual*, rules of the House, rule-making provisions of budget-related statutes, and congressional disapproval provisions of public laws, all with the parliamentarian's interpretive annotations of precedent;
- publications containing the precedents of the House: *House Practice: A Guide to the Rules, Precedents and Procedures of the House*; *Procedure in the U.S. House of Representatives* and its supplements; *Deschler's Precedents of the U.S. House of Representatives*; *Cannon's Procedure in the House of Representatives*; and *Hinds' and Cannon's Precedents of the House of Representatives of the United States*;
- rule-making statutes;
- committee rules; and
- “memorandums of understanding” (often called “letters of agreement”) regarding committee jurisdiction.

Information on how to access each official reference source, including versions available through the Internet, is presented in a box after the source's description. Internet addresses, for example, [<http://www.house.gov/CommitteeWWW.html>], are provided in brackets. The name of the Internet service is provided in bold type. Information presented in the boxes is summarized in the appendices.

The report also presents an excerpt from each printed source, which shows its format and is annotated to indicate special features and components. Although some of these excerpts do not reflect the most recent, current edition of the source excerpted, they illustrate the same format and other features retained in the current editions.

### House Rules and Manual

The *House Rules and Manual* (formally titled *Constitution, Jefferson's Manual, and Rules of the House of Representatives*) is the most valuable single reference source on House parliamentary procedure. An edition is published, as a House Document, usually during the first session of each Congress. (The edition for each Congress bears a document number from the preceding Congress, because the House typically authorizes it during the preceding Congress.)

The *House Rules and Manual* contains the following parliamentary reference sources:

- the Constitution of the United States and portions of *Jefferson's Manual*;
- the rules of the House;
- rule-making statutes governing the congressional budget process; and
- congressional disapproval provisions in public laws.

As described below, each of these is accompanied by annotations by the House parliamentarian summarizing pertinent House precedents. Finally, the preface to the *Manual* presents a summary of changes to the House rules adopted since the last Congress. Each of these reference sources is described in this section of the report.

The *House Rules and Manual* is organized in numbered sections that run consecutively throughout the volume and that normally remain constant from edition to edition, facilitating citation and reference across editions. For this reason, the *Manual* is usually cited by section number instead of page number. *Manual* section numbers are also listed at the top of each page. With the recodification in the 106<sup>th</sup> Congress of House rules in a revised structure that reduced their number from 52 to 28, discussed below, section numbers have necessarily changed in the portion of the *Manual* devoted to those rules.

The *House Rules and Manual* contains an extensive index, which should be thoroughly examined in order to find all the citations needed. For example, information on motions to suspend the rules is indexed under two subject headings: "Rules, suspension of," and "Suspension of Rules." The index directs readers to section numbers, rather than page numbers.

Upon publication, the *House Rules and Manual* is automatically distributed to House Member and committee offices. Additional copies may be available from the House Legislative Resource Center (6-5200).

The full text of the latest *House Rules and Manual* (for the 107<sup>th</sup> Congress, H.Doc. 106-320) can be searched online through the following Internet sites:

**House page on LIS**

[<http://www.congress.gov/house.html>], has a direct link to the *House Rules and Manual* (labeled Jefferson's Manual)

**House Committee on Rules**

[[http://www.house.gov/rules/house\\_rules\\_precedents.htm](http://www.house.gov/rules/house_rules_precedents.htm)]

**GPO Access**

[<http://www.gpoaccess.gov/hrm/index.html>]

Several of the parliamentary reference sources compiled in the *House Rules and Manual* are also available through other sites, noted in the box following the description of each source.

**Parliamentarian’s Annotations.** Annotations prepared by the House parliamentarian (often referred to as “the parliamentarian’s notes”) appear throughout the *House Rules and Manual*. These annotations provide useful information about the history and contemporary application of specific provisions of each parliamentary reference source (e.g., clause of a House rule) compiled in the *Manual*. Citations to important precedents are presented in parentheses throughout the annotations. These citations, which refer the reader to different publications containing precedents, appear in the following format:

- *Congressional Record*: the date and (except in the case of some very recent citations) the *Congressional Record* page number (e.g., Jan. 29, 1986, p. 684). Some citations also provide additional information, such as the number of the bill involved in the precedent.
- *Hinds’ and Cannon’s Precedents*: a roman numeral indicating the volume number, and the section number (e.g., V, 5763).
- *Deschler’s Precedents* or *Deschler-Brown Precedents*: the publication’s shortened title, volume number, chapter number, and section number (e.g., *Deschler-Brown Precedents*, vol. 10, ch. 28, sec. 4.26).
- *Procedure in the U.S. House of Representatives*: the publication’s title (“Procedure” is used), chapter number, and section number (e.g., *Procedure*, ch. 5, sec. 8.1).
- Pronouncements by the Speaker: the name of the Speaker, the date, and (except in very recent instances) the *Congressional Record* page number (e.g., Speaker O’Neill, Mar. 2, 1978, p. 5272).
- *United States Code* by title and section (e.g., 2 U.S.C. 287); and
- The *United States Reports*, by volume and page (e.g., 395 U.S. 486).

The discussion of precedents in the parliamentarian’s annotations has great practical value for several reasons. First, it allows the reader to see the relationship between the operation of specific clauses in the reference source annotated and the precedents. Second, because the discussion is updated each time the *House Rules and Manual* is published, it summarizes some important precedents that are not discussed in other publications containing precedents. (These publications are described later in this report.) Last, the citations provided in parentheses can be a time-saving research tool for readers seeking precedents related to a specific clause of House rules or of the other parliamentary reference documents included in the *House Rules and Manual*.

Excerpts from the parliamentarian’s annotations appear in many of the sample *House Rules and Manual* pages presented in this report. The descriptions of each

reference source discuss the information provided in the parliamentarian's annotations.

**Summary of Changes to House Rules.** This summary, which normally appears in the preface to the *House Rules and Manual* for the each Congress, typically covers the most substantive rules changes adopted since the previous edition of the *Manual*. At the start of each Congress, the House approves a resolution (H.Res. 5 in the 108<sup>th</sup> Congress) that readopts the rules of the previous Congress, usually with specified amendments. In contemporary practice, these adopted amendments are recommended by the majority party. The House may adopt other changes by approving a resolution during the course of a Congress.

In the preface (dated July 25, 2003) to the *House Rules and Manual* for the 108<sup>th</sup> Congress, the parliamentarian notes that in the 106<sup>th</sup> Congress, the House adopted a major recodification of the Rules of the House. This included a revised structural format that reduced the number of rules from 52 to 28. (For an explanation of the recodified format, see the preface and introductory matter in the *House Rules and Manual* for the 106<sup>th</sup> Congress, H.Doc. 105-358).

Explanation of the derivations of the recodified rules from rules of the previous Congress, and of substantive changes, appear in the annotations following each rule in the text of the manual. Additional explanatory material including a summary of the recodification, a side-by-side comparison, and a table of recodification citation changes can be found at the website of the House Committee on Rules under the link for Rules and Precedents of the House.

**Internet:** The text of H.Res. 5 for the 108<sup>th</sup> Congress is available at the website of the **House Committee on Rules** at [[http://www.house.gov/rules/rulespack\\_108.htm](http://www.house.gov/rules/rulespack_108.htm)]. The explanatory material on the 106<sup>th</sup> Congress recodification is available through the same website at [[http://www.house.gov/rules/106\\_rules\\_pack.htm](http://www.house.gov/rules/106_rules_pack.htm)].

**Constitution.** The text of the Constitution is presented with annotations by the parliamentarian explaining how the House and the courts have interpreted and applied constitutional provisions. In particular, Article I, Section 5 imposes several procedural requirements on the House. This part of the Constitution grants the House the authority to adopt its own rules, requires the House to keep and publish an official journal of its proceedings, mandates the presence of a quorum to conduct business in the House, and requires that a yeas and nays vote be conducted upon the request of one-fifth of the Members present. The parliamentarian's annotations elaborate on how each of these constitutional provisions has been applied in practical terms in the House.

Reprinted on the following page is the constitutional provision requiring the yeas and nays, followed by some of the parliamentarian's annotations.<sup>2</sup>

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<sup>2</sup> Constitution of the United States, in U.S. Congress, House, *House Rules and Manual* for (continued...)

House Manual section number. — §74-§76	CONSTITUTION OF THE UNITED STATES (ARTICLE I, SECTION 5)	Article and Section number of the Constitution.
Text of the Constitution (asterisks indicate text continues from previous page).	<p>on that day under clause 6(c)(1) of rule XV, and clause 6 of rule XV generally prohibits the making of points of order of no quorum unless the Speaker has put the question on the pending motion or proposition.</p> <p>Under the practice before clause 1 of rule I was adopted in its present form, the motion to amend the Journal took precedence over the motion to approve it (IV, 2760; VI, 633); but the motion to amend may not be admitted after the previous question is demanded on a motion to approve (IV, 2770; VI, 633; VIII, 2684). An expression of opinion as to a decision of the Chair was held not in order as an amendment to the Journal (IV, 2848). A proposed amendment to the Journal being tabled does not carry the Journal with it (V, 5435, 5436). While a proposed correction of the Journal may be recorded in the Journal, yet it is not in order to insert in full in this indirect way what has been denied insertion in the first instance (IV, 2782, 2804, 2805). The earlier practice was otherwise, however (IV, 2801-2803). The Journal of the last day of a session is not approved on the assembling of the next session, and is not ordinarily amended (IV, 2743, 2744). For further discussion of the composition and approval of the Journal, see Deschler's Precedents, vol. 1, ch. 5.</p> <p>Decisions of the Supreme Court of the United States: <i>Field v. Clark</i>, 143 U.S. 649 (1892); <i>United States v. Ballin</i>, 144 U.S. 1 (1892).</p>	
House Manual section number and topic.	<p>* * * and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.</p>	
House Parliamentarian's annotations.	<p>The yeas and nays may be ordered before the organization of the House (I, 91; V, 6012, 6013), but are not taken in Committee of the Whole (IV, 4722, 4723). They are not necessarily taken on the passage of a resolution proposing an amendment to the Constitution (V, 7038, 7039; VIII, 3506), but are required to pass a bill over a veto (§ 104; VII, 1110). In the earlier practice of the House it was held that less than a quorum might not order the yeas and nays, but for many years the decisions have been uniformly the other way (V, 6016-6028). Neither is a quorum necessary on a motion to reconsider the vote whereby the yeas and nays are ordered (V, 5693). When a quorum fails on a yea and nay vote it is the duty of the Speaker and the House to take notice of that fact (IV, 2953, 2963, 2988). If the House adjourns, the order for the yeas and nays remains effective whenever the bill again comes before the House (V, 6014, 6015; V, 740; VIII, 3108), and it has been held that the question of consideration might not intervene on a succeeding day before the second calling of the</p>	
Citations to Hinds' and Cannon's Precedents.	<p>§74. Motions to amend the Journal.</p> <p>§74a. Decisions of the Court.</p> <p>§75. Yeas and Nays entered on the Journal.</p> <p>§76. Conditions of ordering yeas and nays.</p>	
		[32-33] — House Manual page number.

<sup>2</sup> (...continued)

the 105<sup>th</sup> Congress (formally titled *Constitution, Jefferson's Manual and the Rules of the House*), H.Doc. 104-272, 104<sup>th</sup> Cong., 2<sup>nd</sup> sess. (Washington: GPO, 1997), pp. 32-33.

**Internet:** The Constitution and its amendments is available through **THOMAS**, the public access website of the Library of Congress, at [<http://lcweb2.loc.gov/const/const.html>]. (A link to the amendments appears at the top of this Web page.)

A searchable version of *The Constitution of the United States of America, Analysis and Interpretation*, prepared by CRS, which includes references to decisions of the Supreme Court, is available at the **CRS** website at [<http://www.crs.gov/products/conan/>], and on **GPO Access** at [<http://www.access.gpo.gov/congress/senate/constitution/index.html>].

**Jefferson’s Manual.** House Rule XXVIII, which dates from 1837, states that “the rules of parliamentary practice comprised by *Jefferson’s Manual* shall govern the House in all cases to which they are applicable and in which they are not inconsistent with the standing Rules and orders of the House.”<sup>3</sup>

Thomas Jefferson wrote this manual when he served as Vice President, and hence as President of the Senate, from 1797 to 1801. *Jefferson’s Manual* is a statement of parliamentary law and the philosophy behind various parliamentary actions. It is based largely on the practice of the British House of Commons in the late 18<sup>th</sup> Century. Interestingly, while this manual was originally intended for use in the U.S. Senate, the Senate does not consider it an authority on Senate parliamentary procedure today.

*Jefferson’s Manual* is sometimes incorrectly used as the formal title of the rules of the House or of the *House Rules and Manual*. In fact, however, *Jefferson’s Manual* is a separate document; only its sections that apply to House parliamentary procedure are incorporated in the *House Rules and Manual*.

Annotations by the parliamentarian explain how practices set forth in *Jefferson’s Manual* either relate or no longer relate to House procedure today. These annotations demonstrate that some of the House’s most important parliamentary procedures, such as those governing debate, consideration of amendments and resolving differences between the two houses, are based in part on practices established in *Jefferson’s Manual*.

An excerpt from *Jefferson’s Manual*, with the parliamentarian’s annotations, is reprinted on the following page.<sup>4</sup>

*A Manual of Parliamentary Practice for the Use of the Senate of the United States* is the full title of Jefferson’s work. This publication has been printed as S.Doc. 103-8, 103<sup>rd</sup> Cong., 1<sup>st</sup> sess. (Washington: GPO, 1993).

<sup>3</sup> House Rule XXVIII, clause 1, in *House Rules and Manual* for the 108<sup>th</sup> Congress, H.Doc. 107-284, 107<sup>th</sup> Cong., 2<sup>nd</sup> sess. (Washington: GPO, 2003), sec. 1105, p. 942.

<sup>4</sup> *Jefferson’s Manual*, in *House Rules and Manual* for the 106<sup>th</sup> Congress, H.Doc. 105-358, 105<sup>th</sup> Cong., 2<sup>nd</sup> sess. (Washington: GPO, 1999), p. 235.

House Manual  
section number.

House Manual  
section number  
and topic.

If an amendment be proposed inconsistent with one already agreed to, it is a fit ground for its rejection by the House, but not within the competence of the Speaker to suppress as if it were against order. For were

1466. The Speaker not to decide as to consistency of a proposed amendment with one already agreed to.

he permitted to draw questions of consistence within the vortex or order, he might usurp a negative on important modifications, and suppress, instead of subserving, the legislative will.

Parliamentarians  
annotations.

The practice of the House follows and extends the principle set forth by Jefferson. Thus it has been held that the fact that a proposed amendment is inconsistent with the text or embodies a proposition already voted (II, 1328-1336; VIII, 2834), or would in effect change a provision of text to which both Houses have agreed (II, 1335; V, 6183-6185), or is contained in substance in a later portion of the bill (II, 1327), is a matter to be passed on by the House rather than by the Speaker. It is for the House rather than the Speaker to decide on the legislative or legal effect of a proposition (II, 1323, 1324; VI, 254; VII, 2112; VIII, 2280, 2841), and the change of a single word in the text of a proposition may be sufficient to prevent the Speaker from ruling it out of order as one already disposed of by the House (II, 1274). The principle has been the subject of conflicting decisions, from which may be deduced the rule that the Chair may not rule out the proposition unless it presents a substantially identical proposition (VI, 256; VIII, 2834, 2835, 2838, 2840, 2842, 2850, 2856).

Citations to Hind's  
and Cannon's  
Precedents.

A perfecting amendment offered to an amendment in the nature of a substitute may be offered again as an amendment to the original bill if the amendment is first rejected or if the amendment in the nature of a substitute as perfected is rejected (Sept. 28, 1976, p. 33075). Rejection of an amendment consisting of two sections does not preclude one of those sections being subsequently offered as a separate amendment (July 15, 1981, p. 15898), and the rejection of several amendments considered en bloc does not preclude their being offered separately at a subsequent time (Deschler's Precedents, vol. 9, ch. 27, sec. 35.15; Nov. 4, 1991, p. 29932). A point of order against an amendment to a substitute does not lie merely because its adoption would have the same effect as the adoption of a pending amendment to the original amendment and would render the substitute as amended identical to the original amendment as amended (May 4, 1983, p. 11059).

Congressional  
Record  
citation.

House Manual  
page number.

**Rules of the House.** Each session of Congress, the clerk of the House usually issues an unnumbered print containing the chamber's rules. This document, often called the "Clerk's Print," incorporates any rules changes adopted by the House on opening day, and is usually the first available document containing the text of House rules as amended. This print contains only the text of the rules themselves, without any annotations or index.

The *House Rules and Manual* presents the rules of the House clause by clause, along with the parliamentarian's annotations for each clause. These annotations highlight the history of each clause, explain current practice and any changes adopted since the last Congress, and briefly describe some of the most important precedents. The annotations also provide citations in parentheses that direct readers to the parliamentary reference sources where more information can be found.

The House's prohibition of non-germane amendments (Rule XVI, clause 7) receives detailed coverage in the parliamentarian's annotations. An excerpt from the *House Rules and Manual* for the 105<sup>th</sup> Congress, showing some of these annotations, appears on the following page.<sup>5</sup>

*Rules of the House of Representatives*, the unnumbered print issued by the clerk of the House, is automatically distributed to Member and committee offices.

**Internet:** The rules of the House are available through the following sites:

**House page on LIS**

[<http://www.congress.gov/house.html>]

**House Committee on Rules**

[[http://www.house.gov/rules/house\\_rules.htm](http://www.house.gov/rules/house_rules.htm)]

**CRS Guides to Congressional Processes**

[<http://www.crs.gov/products/guides/guidehome.shtml>]

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<sup>5</sup> Rules of the House of Representatives, in *House Rules and Manual* for the 105<sup>th</sup> Congress, H.Doc. 104-272, pp. 606-607.

<p>Number of House Rule. —</p>	<p>Rule XVI</p>	<p>House Manual section number.</p>
<p>Text of Rule XVI (asterisks indicate text continues from previous page).</p>	<p>as it would have the effect of dividing the motion to strike out and insert (June 29, 1939, pp. 8282, 8284-85; June 19, 1979, pp. 15566-68).</p> <p>* * * and no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.</p>	<p>§794</p>
<p>House Manual section number and topic.</p>	<p>§794. Germane amendments.</p>	
<p>House Parliamentarian's annotations.</p>	<p>This clause was adopted in 1789, and amended in 1822 (V, 5767, 5825). It introduced a principle not then known to the general parliamentary law (V, 5825), but of high value in the procedure of the House (V, 5866). Prior to the adoption of rules, when the House is operating under general parliamentary law, as modified by the usage and practice of the House, an amendment may be subject to the point of order that it is not germane to the proposition to which offered (Jan. 3, 1969, p. 23). The principle of the rule applies to a proposition by which it is proposed to modify the pending bill, and not to a portion of the bill itself (V, 6929); thus a point of order will not lie that an appropriation in a general appropriation bill is not germane to the rest of the bill (Dec. 16, 1963, p. 24753). In general, an amendment simply striking out words already in a bill may not be ruled out as not germane (V, 5805; VIII, 2918) unless such action would change the scope and meaning of the text (VIII, 2917-2921; Mar. 23, 1960, p. 6381); and a pro forma amendment "to strike out the last word" has been considered germane (July 28, 1965, p. 18639). While a committee may report a bill or resolution embracing different subjects, it is not in order during consideration in the House to introduce a new subject by way of amendment (V, 5825). The rule that amendments should be germane applies to amendments reported by committees (V, 5806), but a resolution providing for consideration of the bill with committee amendments may waive points of order (Oct. 10, 1967, p. 28406), and the point of order under this rule does not apply to a special order reported from the Committee on Rules "self-executing" the adoption in the House of a nongermane amendment to a bill, since the amendment is not separately before the House during consideration of the special order (Feb. 24, 1993, p. —; July 27, 1993, p. —). A resolution reported from the Committee on Rules providing for the consideration of a bill relating to a certain subject may be amended neither by an amendment that would substitute the consideration of an unrelated proposition (V, 5834-5836; VIII, 2956; Sept. 14, 1950, p. 14844) nor an amendment that would permit the additional consideration of a non-germane amendment to the bill (May 29, 1980, pp. 12667-73; Aug. 13, 1982, p. 20972). The Chair will not interpret as a point of order under a specific rule of the House, on which he must rule, an objection to a substitute as "narrowing the scope" of a pending amendment, absent some stated or necessarily implied reference to the germaneness or other rule (June 25, 1987, p. 17415). The burden of proof is on the proponent of an amendment to establish its germaneness (VIII, 2995), and where</p>	<p>Congressional Record citation.</p>
<p>Citations to Hinds' and Cannon's Precedents.</p>		
<p>[606-607] — House Manual page number.</p>		

**Rule-Making Statutes Related to the Congressional Budget Process.** The *House Rules and Manual* also presents the provisions of the Congressional Budget and Impoundment Control Act of 1974 (commonly referred to as the Congressional Budget Act), the Balanced Budget and Emergency Deficit Control Act of 1985 (often called the Gramm-Rudman-Hollings Act), and the Budget Enforcement Act of 1990, which define specific procedures for considering budgetary legislation in the House and the Senate. These so-called “rule-making provisions” are accompanied by the parliamentarian’s annotations on how they have been applied in both the House and the Senate.

These three public laws are termed “rule-making statutes” because they create parliamentary procedures through an exercise of both the House’s and the Senate’s constitutional rule-making authority.<sup>6</sup> As such, the procedures established by these laws have the same standing and effect as the rules of each chamber. For example, the Congressional Budget Act defines special procedures for considering budget resolution and reconciliation legislation, and establishes points of order that a Member could raise against consideration of budgetary legislation.

Reprinted on the following page is an excerpt from section 305(a) of the Congressional Budget Act, as it appears in the *House Rules and Manual* for the 105<sup>th</sup> Congress, with the parliamentarian’s annotations.<sup>7</sup> This section sets forth procedures for House floor consideration of the budget resolution.

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<sup>6</sup> These rule-making statutes and relevant House precedents are discussed in the “Budget Process” chapter of U.S. Congress, House, *House Practice: A Guide to the Rules, Precedents and Procedures of the House*, 108<sup>th</sup> Cong., 1<sup>st</sup> sess. (Washington: GPO, 2003), pp.188-190.

<sup>7</sup> Congressional Budget Act, in *House Rules and Manual* for the 105<sup>th</sup> Congress, H.Doc. 104-272, pp. 918-919.

Congressional Budget Act  
section number. — §305

CONGRESSIONAL BUDGET ACT

House Manual  
section number. §1007

Text of Section 305(a) of the  
Congressional Budget Act.

Clause 5 of Section 305(a).

achieve, shall it be in order to offer to such resolution an amendment relating to such goals, and such amendment shall be in order only if it also proposes to alter such estimates, amounts, and levels in germane fashion in order to be consistent with the goals proposed in such amendment.

(5) Consideration of any concurrent resolution on the budget by the House of Representatives shall be in the Committee of the Whole, and the resolution shall be considered for amendment under the five-minute rule in accordance with the applicable provisions of rule XXIII of the Rules of the House of Representatives. After the Committee rises and reports the resolution back to the House, the previous question shall be considered as ordered on the resolution and any amendments thereto to final passage without intervening motion; except that it shall be in order at any time prior to final passage (notwithstanding any other rule or provision of law) to adopt an amendment (or a series of amendments) changing any figure or figures in the resolution as so reported to the extent necessary to achieve mathematical consistency.

(6) Debate in the House of Representatives on the conference report on any concurrent resolution on the budget shall be limited to not more than 5 hours, which shall be divided equally between the majority and minority parties. A motion further to limit debate is not debatable. A motion to recommit the conference report is not in order, and it is not in order to move to reconsider the vote by which the conference report is agreed to or disagreed to.

(7) Appeals from decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to any concurrent resolution on the budget shall be decided without debate.

House Parliamentarian's  
annotations.

The Balanced Budget and Emergency Deficit Control Act of 1985 (tit. II, P.L. 99-177) amended section 305 in several places, with the most important changes being the reduction in the availability requirement for the committee report on a budget resolution to five days (from ten) and the addition of a one-day availability requirement for any report thereon from the Committee on Rules. The Full Employment and Balanced Growth Act of 1978 (P.L. 95-523) amended this subsection by adding subparagraphs (a)(3) and (4) and making conforming changes relating to debate and amendments on economic goals and policies during consideration of the first concurrent resolution on the budget in the House. A similar addition was made in subparagraphs (b)(3) and (4), relating to Senate procedure). General debate on economic goals and policies under subsection (a)(3) must be confined to that subject (Apr. 23, 1980, p. 8815).

Public law citation.

— Congressional Record  
citation.

House Manual page number. — [918-919]

**Congressional Disapproval Provisions in Public Laws.** The *House Rules and Manual* provides excerpts from 29 statutes that define special procedures for Congress to follow in disapproving or approving specified actions of the executive branch or independent agencies. Procedures of this kind typically permit the House and the Senate to pass a joint resolution in disapproval or approval of an executive action.

These so-called “congressional disapproval statutes” are a type of rule-making statute because they create procedures through an exercise of the rule-making authority of the House and the Senate. Similar to the procedures created by the budgetary public laws discussed in the previous section, those created by congressional disapproval statutes have the force and effect of rules of the respective chambers.

Sections 151 to 154 of the Free Trade Act of 1974, which establish fast-track procedures for considering legislation implementing trade agreements, are examples of rule-making provisions in congressional disapproval statutes. Reprinted on the following page is Section 151(f) of the Free Trade Act as it appears in the *House Rules and Manual* for the 105<sup>th</sup> Congress.<sup>8</sup>

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<sup>8</sup> Congressional Disapproval Provisions Contained in Public Laws, in *House Rules and Manual* for the 105<sup>th</sup> Congress, H.Doc. 104-272, p. 1070.

## CONGRESSIONAL DISAPPROVAL PROVISIONS

§ 1013(11D)

House Manual  
section number.

day after its receipt by the Senate (or, if later, before the close of the 45th day after the corresponding implementing revenue bill or resolution was introduced in the Senate), such committee or committees shall be automatically discharged from further consideration of such bill or resolution and it shall be placed on the calendar. A vote on final passage of such bill or resolution shall be taken in the Senate on or before the close of the 15th day after such bill or resolution is reported by the committee or committees of the Senate to which it was referred, or after such committee or committees have been discharged from further consideration of such bill or resolution.

Section 151(f) of the  
Free Trade Act of 1974.

(3) For purposes of paragraphs (1) and (2), in computing a number of days in either House, there shall be excluded any day on which that House was not in session.

(1) FLOOR CONSIDERATION IN THE HOUSE.—(1) A motion in the House of Representatives to proceed to the consideration of an implementing bill or approval resolution shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

Clause 2 of Section 151(f).

(2) Debate in the House of Representatives on an implementing bill or approval resolution shall be limited to not more than 20 hours, which shall be divided equally between those favoring and those opposing the bill or resolution. A motion further to limit debate shall not be debatable. It shall not be in order to move to recommit an implementing bill or approval resolution or to move to reconsider the vote by which an implementing bill or approval resolution is agreed to or disagreed to.

(3) Motions to postpone, made in the House of Representatives with respect to the consideration of an implementing bill or approval resolution, and motions to proceed to the consideration of other business, shall be decided without debate.

(4) All appeals from the decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to an implementing bill or approval resolution shall be decided without debate.

(5) Except to the extent specifically provided in the preceding provisions of this subsection, consideration of an implementing bill or approval resolution shall be governed by the Rules of the House of Representatives applicable to other bills and resolutions in similar circumstances.

[1070-1071] — House Manual page number.

## Rule-Making Statutes

As discussed earlier, the term “rule-making statute” describes public laws that have provisions specifying legislative procedures to be followed in the House and the Senate. Because these procedures are created through an exercise of each chamber’s constitutional rule-making authority, they have the same standing as House and Senate rules. To that effect, rule-making statutes usually have a section titled “Exercise of Rule-Making Power,” making explicit that the law’s provisions are to “be considered as part of the rules of each House.”<sup>9</sup>

Rule-making statutes related to the congressional budget process — the Congressional Budget Act, Gramm-Rudman-Hollings Act, and Budget Enforcement Act — and those known as “congressional disapproval statutes” were discussed earlier in this report.

The Legislative Reorganization Act of 1946 (P.L. 79-601, 60 Stat. 812) and the Legislative Reorganization Act of 1970 (P.L. 91-510, 84 Stat. 1140) are two other important rule-making statutes. Their rule-making provisions, many of which were later incorporated into the rules of the House, established legislative procedures.<sup>10</sup> The parliamentarian’s annotations in the *House Rules and Manual* discuss how these provisions affect House parliamentary procedure.

## Published Precedents of the House

Several publications provide information about House precedents. As discussed earlier, selected precedents are discussed in the parliamentarian’s annotations in the *House Rules and Manual*. Moreover, procedural floor exchanges that establish House precedents are recorded in the *Congressional Record* on the date when the precedent-setting exchange occurred.

House precedents are described and referenced in the following five publications:

- *House Practice: A Guide to the Rules, Precedents and Procedures of the House*;
- *Procedure in the U.S. House of Representatives* and its 1985 and 1987 supplements (sometimes referred to as “*Deschler’s Procedure*”);
- *Deschler’s Precedents of the U.S. House of Representatives*,

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<sup>9</sup> For example, Section 904(a)(1) of the Congressional Budget and Impoundment Control Act of 1974.

<sup>10</sup> For example, the requirement that all House standing committees adopt written rules of procedure (House Rule XI, clause 2) was originally a provision of the Legislative Reorganization Act of 1970. This requirement was incorporated into the rules of the House in 1971. See Rules of the House of Representatives, in *House Rules and Manual* for the 108<sup>th</sup> Congress, H.Doc. 107-284, 107<sup>th</sup> Cong., 2<sup>nd</sup> sess., sec. 791.

- Cannon’s Procedure in the House of Representatives, and
- *Hinds’ and Cannon’s Precedents of the House of Representatives of the United States*

When reviewing published precedents for their application to a particular parliamentary situation, the reader might consider the principles of House procedure discussed earlier in this report. Members needing to find precedents to support or rebut an argument might wish to seek the official advice of Office of the House Parliamentarian (5-7373).

**House Practice: A Guide to the Rules, Precedents, and Procedures of the House.** This work (hereafter referred to as *House Practice*) is the most up-to-date reference source for information about the rules and selected precedents governing House procedure. The original edition of this one-volume publication was prepared by William Holmes Brown during the final years of his tenure (1974-1994) as House parliamentarian.<sup>11</sup> In 2003, it was superceded by a second edition, prepared under the direction of Parliamentarian Charles W. Johnson III, reflecting the modern practice of the House as of the 108<sup>th</sup> Congress.<sup>12</sup> *House Practice* was designed to replace *Procedure in the U.S. House of Representatives* (described in the next section).

*House Practice* is organized into chapters that cover 59 subjects of House procedure (the first edition had 57). These chapters are not numbered, but are presented in alphabetical order, and are divided into numbered sections. All the chapter subject headings are listed at the beginning of *House Practice*. Each chapter opens with an outline of the chapter’s main topics and their *House Practice* section numbers. Section numbers are assigned only to the chapter’s main topics (not to the chapter’s subtopics and individual precedents, as is done in other parliamentary reference sources).

After each chapter’s outline, useful citations to other House parliamentary reference sources are provided under the heading “Research References.” The *House Rules and Manual*, *Hinds’ and Cannon’s Precedents*, and *Deschler’s Precedents* are the most frequently cited reference sources. *House Practice* is the only parliamentary reference source that provides such a listing of “Research References.”

The first section of each chapter reviews general principles governing the House procedure under discussion. Depending on the complexity of the procedural subject, the chapter’s main topics may be further divided into subtopics. For each main topic and subtopic, *House Practice* summarizes relevant House rules and selected precedents, and cites the reference source containing their full texts. In addition, the terminology used to undertake certain parliamentary actions, such as making different motions, is provided in relevant chapters (often under the subtopic heading “Forms”).

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<sup>11</sup> *House Practice: A Guide to the Rules, Precedents and Procedures of the House*, 104<sup>th</sup> Cong., 2<sup>nd</sup> sess. (Washington: GPO, 1996).

<sup>12</sup> *House Practice: A Guide to the Rules, Precedents and Procedures of the House*, 108<sup>th</sup> Cong., 1<sup>st</sup> sess. (Washington: GPO, 2003).

*House Practice* has a separate chapter on the rules and precedents governing House consideration of budgetary legislation. (The chapter is titled “Budget Process.”) This chapter’s first section provides useful summaries of the main rule-making statutes related to the budget process.

Readers can use the publication’s index to locate information about specific procedural topics. This index is organized around the chapter subject headings. For each subject heading, the index provides a more detailed listing of procedural topics than do the outlines of individual chapters. The index directs readers to the relevant *House Practice* section numbers.

Reprinted on the following pages are excerpts from the *House Practice* chapter on the “Previous Question.”<sup>13</sup>

At the time this report was issued, a new edition of *House Practice* was in preparation. When available, it will be distributed to House Member and committee offices. Members will be able to request additional copies from the House Legislative Resource Center/House Document Room (6-5200). When this report was issued, copies of the previous edition were no longer available from the Legislative Resource Center.

**Internet:** The present edition of *House Practice* is available on these sites:

**GPO Access**

[<http://www.gpoaccess.gov/hpractice/browse.html>]

**House page on LIS**

[<http://www.congress.gov/house.html>] has a direct link to *House Practice*.

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<sup>13</sup> *House Practice: A Guide to the Rules, Precedents and Procedures of the House*, 104<sup>th</sup> Cong., 2<sup>nd</sup> sess. (Washington: GPO, 1996). pp. 653, 664.

**Previous Question — Chapter topic.**

**Chapter outline. —**

- § 1. In General
- § 2. Offering the Motion
- § 3. — When in Order; Quorum Requirements
- § 4. — Who May Offer
- § 5. Precedence; Intervention of Other Matters
- § 6. — Precedence Over Other Motions
- § 7. Scope of Motion; Application to Particular Propositions
- § 8. Debate on Motion; Consideration and Disposition
- § 9. Effect
- § 10. — On Debate Generally
- § 11. — On Divided Debate
- § 12. — On Amendments
- § 13. Recommittal
- § 14. Reconsideration
- § 15. Rejection of Motion — As Permitting Further Consideration
- § 16. — As Affecting Recognition
- § 17. Effect of Adjournment When Previous Question Pending

**For example, Volume 8, sections 2661-2694, of Cannon's Precedents.**

**Research References**

- 5 Hinds §§ 5443–5520, 5569–5604
- 8 Cannon §§ 2661–2694
- 7 Deschler Ch 23 §§ 14–24
- Manual §§ 461–463, 804–811

**Citations to other House parliamentary reference sources.**

§ 11

HOUSE PRACTICE

notwithstanding the ordering of the previous question on a pending proposition.

**Chapter section number.** Effect of Special Rule Ordering the Previous Question

When a bill is reported to the House from the Committee of the Whole pursuant to a resolution providing that the previous question "shall be considered as ordered," further debate in the House is precluded. Deschler Ch 23 § 15.18. However, 10 minutes' debate on a motion to recommit with instructions still would be in order. See Deschler Ch 23 § 15.

§ 11. — On Divided Debate — Section topic.

Generally — General discussion of section topic.

As noted elsewhere, debate is sometimes divided by rule between a proponent and an opponent, such as under the 40-minute rule. See CONSIDERATION AND DEBATE. Where under a rule of the House debate time on a motion or proposition is equally divided and controlled by the majority and the minority, or between those in favor and those opposed, the previous question may not be moved until the other side has used or yielded back its time; on occasion, the Chair has vacated the adoption of the previous question where it was improperly moved while the other side was still seeking time. 101-1, Oct. 3, 1989, p. \_\_\_\_\_ Congressional Record citation.

Reference to another chapter.

**Section—** Forty-minute Debate

**subtopic.**

An exception to the rule that the previous question cuts off debate is found in Rule XXVII clause 3. It allows 40 minutes of debate where the previous question is ordered on a debatable proposition which has not in fact been debated. Manual § 907. This rule was adopted in 1880 to prevent passing measures without a word of debate, a frequent practice prior to that time. 5 Hinds § 6821. The right to 40 minutes of debate accrues only if the previous question is in fact ordered, not merely moved. Deschler Ch 23 § 21.4. But the 40 minutes' debate time must be demanded before the House begins to vote on the main question. 5 Hinds § 5496. — Citation to Hinds' Precedents.

**House Manual citation.**

**Citation to Deschler's Precedents.**

The debate time under the 40-minute rule is divided between the Member demanding the time and a Member who represents the opposing view of the matter. Deschler Ch 23 § 21.2. If, after recognition of two Members under the 40-minute rule, it appears that both Members favor the proposition, the Speaker may require that each yield half of his time to those opposing the motion. 8 Cannon § 2689. — Citation to Cannon's Precedents.

The 40-minute rule stipulates that it is applicable to "a debatable proposition on which there has been no debate." Rule XXVII clause 3 (Manual § 907). If there has been any debate at all prior to the ordering of the pre-

**Procedure in the U.S. House of Representatives, and 1985 and 1987 Supplements.** *Procedure in the U.S. House of Representatives*, a one-volume publication (hereafter referred to as *Procedure*), summarizes the most important House precedents established from 1959 through 1980.<sup>14</sup> The publication's 1985 supplement covers selected precedents established from 1981 through 1984, and the 1987 supplement discusses those created from 1981 through 1986.<sup>15</sup> As was noted above, the new publication titled *House Practice* was designed to replace *Procedure*. Nonetheless, a knowledge of how to use *Procedure* will continue to be useful inasmuch as other parliamentary reference sources refer to *Procedure*.

*Procedure* consists of 37 chapters arranged around topics of House procedure. For example, chapter 28 is titled "Amendments and the Germaneness Rule." Most chapters are divided into broad subtopics, and each subtopic is further divided into sections. Taking chapter 28 as an example, the chapter's subtopic "Amendments Imposing Qualifications or Restrictions" is divided into six sections (sections 22-27). Below each topic heading, the principles established or illustrated by each precedent or group of related precedents is summarized in a numbered paragraph, (e.g., section 22.1), and accompanied by *Congressional Record* citations where the full text of the procedural exchanges in question can be located. These citations provide the *Congressional Record* volume and page number, the Congress and session, and the date (e.g., "113 CONG. REC. 28649, 90<sup>th</sup> Cong., 1<sup>st</sup> sess., Oct. 11, 1967"). The 1985 and 1987 supplements are organized in the same manner. Their numbering is keyed to that of the main volume.

When other reference sources provide citations to *Procedure*, these citations contain the publication's title (usually a shortened title such as *Procedure* or *House Procedure*), chapter number, section number, and page number (e.g., "*House Procedure*, ch. 27, sec. 3.1, p. 497"). Each chapter's section numbers begin at 1; they are not numbered sequentially throughout the entire publication.

Reprinted on the following page is an excerpt from *Procedure*.<sup>16</sup>

*Procedure in the U.S. House of Representatives* and its two supplements are out of print. Copies are available for reference at the House Legislative Resource Center/House Library (B-106 Cannon House Office Building), the La Follette Congressional Reading Room (202 Madison Building, Library of Congress), and the CRS Longworth (B-221) and Rayburn (B-335) House Office Building Reference Centers.

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<sup>14</sup> *Procedure in the U.S. House of Representatives, A Summary of the Modern Precedents and Practices of the House: 86<sup>th</sup> Congress - 97<sup>th</sup> Congress* (Washington: GPO, 1982).

<sup>15</sup> *Procedure in the U.S. House of Representatives, 1985 Supplement* (Washington: GPO, 1986), and *Procedure in the U.S. House of Representatives, 1987 Supplement* (Washington: GPO, 1987).

<sup>16</sup> *Procedure in the U.S. House of Representatives, 97<sup>th</sup> Congress*, p. 593.

<p><b>Chapter topic.</b> — AMENDMENTS AND THE GERMANENESS RULE</p>	<p><b>Chapter number.</b> 28</p>	<p><b>Section number.</b> § 22</p>
<p>§ 21.10 To a Senate amendment striking a provision in a general appropriation bill which precluded the use of funds therein by the Environmental Protection Agency to control air pollution by regulating parking facilities, a motion in the House to recede and concur in the Senate amendment with an amendment which temporarily prohibited the use of those EPA funds to implement any plan requiring the review of any indirect sources of air pollution was held more comprehensive in scope and was ruled out as not germane. 120 CONG. REC. 39272, 39273, 93d Cong. 2d Sess., Dec. 12, 1974 [H.R. 16901].</p> <p>§ 21.11 Where a Senate amendment proposes to strike out language in a House bill, the test of the germaneness of a motion to recede and concur with an amendment is the relationship between the language in the motion and the provisions in the House bill proposed to be stricken by the Senate amendment. 120 CONG. REC. 39272, 39273, 93d Cong. 2d Sess., Dec. 12, 1974 [H.R. 16901].</p> <p>§ 21.12 In response to a parliamentary inquiry, the Chairman indicated that if the House agreed to a unanimous-consent request to concur with an amendment in a nongermane Senate amendment in the nature of a substitute for a House bill, it would not then be in order to request a division of the question on (or make a point of order against) the nongermane portions of the amendment. 121 CONG. REC. 20980, 94th Cong. 1st Sess., June 26, 1975 [H.R. 5398]. <i>Note:</i> Under Rule XXVIII clause 5(b)(1)(A)(ii), a point of order may be made against nongermane portions of a motion to concur in nongermane portions of a Senate amendment with an amendment only after the stage of disagreement has been reached, and so even a unanimous-consent request to consider the Senate amendment in the House, followed by a subsequent motion to concur with an amendment, would not have made applicable the provisions of that rule in this instance since the stage of disagreement</p>	<p>had not been reached. It would have been in order by unanimous consent to permit consideration of the Senate amendment in the House with the provisions of Rule XXVIII clause 5 being applicable during such initial consideration of the Senate amendment(s).</p> <p>§ 21.13 To a Senate amendment reported from conference in disagreement on the energy and water appropriations bill, appropriating funds for a Senate office building extension, providing a funding ceiling on such extension, providing for the transfer of personnel and equipment to such extension upon completion and providing for demolition estimates for buildings currently used for Senate office space, an amendment, proposed in a motion to recede and concur with an amendment, making a reduced appropriation for construction of such extension with a reduced funding ceiling, and providing that such extension upon completion meet all personnel needs currently satisfied by the buildings then in use for Senate office space, was held germane. 125 CONG. REC. p. ...., 96th Cong. 1st Sess., Aug. 2, 1979 [H.R. 4388].</p> <p><b>D. AMENDMENTS IMPOSING QUALIFICATIONS OR RESTRICTIONS</b></p> <p><b>Section number.</b></p> <p><b>§ 22. In General; Amendments Providing for Exceptions or Exemptions</b></p> <p>§ 22.1 Where a bill continues the authority of an official to set maximum interest rates on loans, an amendment placing a limit on such authority is germane. 115 CONG. REC. 27351, 91st Cong. 1st Sess., Sept. 29, 1969.</p> <p>§ 22.2 To an amendment prohibiting the administrator from setting ceiling prices for do-</p>	<p><b>number.</b></p> <p><b>Chapter subtopic (always introduced by a capital letter).</b></p> <p><b>Main section (always appears in bold type).</b></p> <p><b>Individual precedent.</b></p> <p><b>Congressional Record citation.</b></p>
<p><b>Procedure page number.</b> — 593</p>	<p><b>Each precedent is assigned a section number.</b></p>	

**Deschler’s Precedents of the U.S. House of Representatives.** The most significant rulings of the chair, as compiled by Lewis Deschler, House parliamentarian from 1928 to 1974, and his successors, are presented in a series of volumes known as *Deschler’s Precedents*.<sup>17</sup> Sixteen volumes have been published to date. The formal title for volume 10 and subsequent volumes is *Deschler-Brown Precedents*, in recognition of work done by William Holmes Brown, parliamentarian of the House from 1974 to 1994. Preparation of additional volumes is being continued by the current House parliamentarian, Charles W. Johnson III.

The set is organized in the same manner as *Procedure*, with topical chapters providing individual precedents; the chapter topics generally parallel those of *Procedure*. The volumes published so far cover through chapter 33, “House-Senate Conferences.” A key difference between the two publications is that *Deschler’s Precedents* provides not only statements of the principles represented by precedents, but also descriptions and facts of the procedural exchanges in which they are embodied.

Each precedent in *Deschler’s Precedents* is assigned a section number and carries a headnote in bold type that summarizes the principle illustrated by the precedent. The precedent is described in a sentence or two, and for many precedents, the full text of the procedural exchange that established the precedent is provided, with a *Congressional Record* page citation. In addition, many chapters in *Deschler’s Precedents* contain introductory sections that describe the general principles related to the House rule or practice under discussion, with references to important precedents. Lastly, a “parliamentarian’s Note” follows a few, selected precedents to direct the reader to other parliamentary reference sources, or to clarify the principle established by the precedent. While there is not yet a consolidated index covering all volumes, each chapter includes an “Index to Precedents” contained in that chapter. This index directs readers to the relevant section number for each precedent.

Reprinted on page 27 is an excerpt from *Deschler’s Precedents* that covers the motions to adjourn and to postpone.<sup>18</sup>

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<sup>17</sup> *Deschler’s Precedents of the U.S. House of Representatives* (in 16 volumes to date; volumes 10-16 are formally titled *Deschler-Brown Precedents of the U.S. House of Representatives*), 94<sup>th</sup> Cong., 2<sup>nd</sup> sess., H.Doc. 94-661, 94<sup>th</sup> Cong., 2<sup>nd</sup> sess. (Washington: GPO, 1977- ).

<sup>18</sup> *Deschler’s Precedents of the U.S. House of Representatives*, vol. 7, chapter 23, p. 84.

Volumes 1-11 of *Deschler's Precedents* are out of print, although Member offices may obtain the complete set (volumes 1-16) by writing the Superintendent of Documents at the Government Printing Office. The Office of the Parliamentarian will facilitate such requests. Also, copies of the set are available for reference at the House Legislative Resource Center/House Library (B-106 Cannon House Office Building) and the La Follette Congressional Reading Room (202 Madison Building, Library of Congress).

**Internet:** *Deschler's Precedents* is available online:

**GPO Access**

[<http://www.gpoaccess.gov/precedents/deschler/index.html>]

**House page on LIS**

[<http://www.congress.gov/house.html>] has a direct link to *Deschler's*.

**House Rules Committee**

[[http://www.house.gov/rules/house\\_rules\\_precedents.htm](http://www.house.gov/rules/house_rules_precedents.htm)]

Section number.

Chaper number. — Ch. 23 § 4

DESCHLER'S PRECEDENTS

about freedom of speech when they are running for office, and then come here and try to cut off reasonable debate, in this important legislation, with steam-roller tactics.

THE CHAIRMAN: The Chair is ready to rule. The Chair finds nothing in the precedents to hold that a request for a division is dilatory. He does find a demand for tellers to have been held to be dilatory, but not a division. The point of order is overruled.

MR. [VITO] MARCANTONIO [of New York]: Mr. Speaker, a point of order on the motion.

THE SPEAKER: The gentleman will state it.

MR. MARCANTONIO: Mr. Speaker, I submit the motion to adjourn is dilatory. While I recognize that intervening business has been transacted, such as voting on the motion to dispense with Calendar Wednesday business, it seems to me that the House has expressed its will on this matter about an hour ago and the House refused to adjourn. I think it is obvious to the Speaker that the House has refused to adjourn and the motion, therefore, is dilatory.

THE SPEAKER: The Chair has already entertained the motion. The question is on the motion offered by the gentleman from Florida.

Parliamentarian's Note: See also Chapters 18, 21, and 17, supra, for discussion of prohibition against dilatory motions under the discharge rule (Rule XXVII clause 4), motions to suspend the rules (Rule XVI clause 8), and motions pending reports from the Committee on Rules (Rule XI clause 4(b)).

Headnote in italicized type

introduces each precedent. — *Time for Objection*

Section number. — § 4.8 After the Speaker has entertained a motion that the House adjourn, it is too late to make

Individual precedent for the motion to adjourn.

the point of order that the motion is dilatory on the ground that the House rejected such a motion an hour previously.

On Feb. 22, 1950,<sup>(12)</sup> the House was proceeding with business under the Calendar Wednesday rule when Mr. Robert L. F. Sikes, of Florida, moved that the House adjourn.

THE SPEAKER:<sup>(13)</sup> The gentleman from Florida [Mr. Sikes] moves that the House do now adjourn.

Full text of procedural exchange establishing the precedent.

Refers readers to other chapters in Deschler's Precedents, and to specific House Rules.

B. MOTIONS TO POSTPONE — Chapter subtopic..

§ 5. In General

There are two motions to postpone. One provides postponement

to a day certain; the other postpones the matter in question

Congressional Record — 12. 96 CONG. REC. 2161, 81st Cong. 2d Sess.

13. Sam Rayburn (Tex.).

citation for motion to adjourn precedent.

84 — Page number in Volume 7.

This introductory section describes general principles of motion to postpone.

**Hinds' and Cannon's Precedents of the House of Representatives of the United States.** *Hinds' and Cannon's Precedents of the House of Representatives of the United States* (hereafter referred to as *Hinds' and Cannon's Precedents*) is an 11-volume series containing selected rulings of the chair made, and other precedents established, between 1789 and 1936.<sup>19</sup> The publication provides valuable coverage of the historical origins and evolution of House procedures from 1789 to 1936. Volumes 1-5, titled *Hinds' Precedents* and published in 1907, were written by Asher Hinds (clerk at the Speaker's table for many years, and a Representative from Maine from 1911 until 1917). Volumes 6-11, titled *Cannon's Precedents* and published in 1936, were prepared by Clarence Cannon (House parliamentarian from 1915 to 1920, and a Representative from Missouri from 1923 to 1964). Volumes 6-8 of *Cannon's Precedents* are organized around the same topics as volumes 1-5 of *Hinds' Precedents*, and essentially serve as supplements. Volumes 9-11 of *Cannon's Precedents* provide indexes to the entire 11-volume set.

The precedents are numbered sequentially throughout *Hinds' Precedents*, and similarly throughout *Cannon's Precedents*. Each precedent (or group of precedents) appears with a headnote in bold type indicating the principle established by the precedent. The procedural exchanges establishing the precedent are then summarized, with text and citations to the *Congressional Record* often provided. (*Hinds' Precedents* also furnishes citations to the *Journal* and predecessors of the *Record*.) Information about specific procedural topics can be located using the detailed table of contents in each volume or the indexes (volumes 9-11), which present the headnotes of relevant precedents according to procedural topics. *Cannon's Procedure*, discussed in the next section, also serves as an index to *Hinds' and Cannon's Precedents*.

While *Hinds' and Cannon's Precedents* is an important reference source for an extensive understanding of House parliamentary procedure, readers unversed in the publication's historical context may find the 11-volume set to be of limited practical value for contemporary House practices. *Hinds' and Cannon's Precedents* is very useful, however, when other reference sources cite a specific precedent in the 11-volume set. These citations usually provide volume and section numbers (e.g., vol. VIII, sec. 2661).

An excerpt from *Cannon's Precedents* is reprinted on the following page.<sup>20</sup>

*Hinds' and Cannon's Precedents* is out of print, but copies are available for reference at the House Legislative Resource Center/House Library (B-106 Cannon ) and the Congressional Reading Room (202 Madison Building, Library of Congress).

**Internet:** Volumes 1-5 of *Hinds'* are available at **GPO Access** at [<http://www.gpo.gov/congress/house/precedents/hinds/hinds.html>].

<sup>19</sup> *Hinds' and Cannon's Precedents of the House of Representatives of the United States* (11 vols.) (Washington: GPO, 1907-1908 and 1935-1941).

<sup>20</sup> *Cannon's Precedents of the House of Representatives of the United States* (Washington: GPO, 1936), vol. VIII, p. 854.

This page is from  
Cannon's Precedents.

Page number — 854  
in volume 8.

PRECEDENTS OF THE HOUSE OF REPRESENTATIVES. § 3422

Section number of first  
precedent on this page.

Mr. Thomas W. Hardwick, of Georgia, made the point of order that the bill had not been reported by a committee of the House and had not been placed on any calendar.<sup>1</sup>

The Speaker<sup>2</sup> ruled:

This is a motion to suspend the rules. It being the third Monday, it is in order to move to suspend the rules and pass a bill whether it has been reported by a committee or not. The Chair apprehends that this has never been introduced, but the Chair is not sure about that. Is a second demanded?

Section number.

**3422.** Pending the decision of a question of order raised against a conference report it is in order to move to suspend the rules and agree to the report.

Headnote in bold type  
summarizes the precedent.

Summary of the procedural  
exchange establishing the  
precedent.

On February 25, 1911,<sup>3</sup> the House was considering the conference report on the District of Columbia appropriation bill, when Mr. Ben Johnson, of Kentucky, made the point of order that the conferees had exceeded their authority by including in the report a provision relating to the construction of street paving which had not been passed by either House.

After debate on the question of order and pending the decision of the Speaker, Mr. Albert S. Burlison, of Texas, moved to suspend the rules and agree to the conference report as submitted.

Mr. Johnson raised a further question of order against entertaining the motion to suspend the rules while the point of order was pending.

The Speaker<sup>2</sup> overruled the point of order and recognized Mr. Burlison as follows:

Text of Speaker's decision.

The gentleman has made a point of order, but if the rules should be suspended it will not be subject to the point of order. It is a motion to suspend the rules and give the House an opportunity to dispose of this report.

**3423.** A motion to suspend the rules and agree to a conference report proposes suspension of all rules inconsistent with the adoption of the report, including the rule requiring printing before consideration.

On May 23, 1908,<sup>4</sup> Mr. Frank W. Mondell, of Wyoming, moved that the rules be suspended for the calling up and adoption of the conference report on the bill (S. 6155) providing for an enlarged homestead.

Mr. William A. Reeder, of Kansas, made the point of order that the conference report had not been printed as required by the rules and therefore was not subject to consideration.

The Speaker<sup>2</sup> overruled the point of order and said:

It is not necessary to print under the rules of the House, because this is the motion to suspend the rules of the House and agree to the conference report. And the motion to suspend all rules

<sup>1</sup> No committee had yet been appointed except the Committees on Ways and Means, Accounts and Mileage.

<sup>2</sup> Joseph G. Cannon, of Illinois, Speaker.

<sup>3</sup> Third session Sixty-first Congress, Record, p. 3418.

<sup>4</sup> First session Sixtieth Congress, Record, p. 6831.

Congressional Record citation  
for precedent presented in  
section 3422.

**Cannon's Procedure in the House of Representatives.** *Cannon's Procedure in the House of Representatives* (hereafter referred to as *Cannon's Procedure*), published in 1963, is a one-volume summary of the major precedents presented in *Hinds' and Cannon's Precedents*.<sup>21</sup> It also includes a few additional precedents from 1936 to 1963, as selected by the publication's author, Clarence Cannon.

The precedents are grouped in unnumbered topical chapters. Some editions of *Cannon's Procedure* have thumb tabs indicating the different chapter titles. The publication briefly summarizes the precedents and provides citations to *Hinds' and Cannon's Precedents* (e.g., VIII, sec. 2661) and the *Congressional Record* (e.g., 84-1-13067; this means 84<sup>th</sup> Congress, 1<sup>st</sup> session, page 13067). Citations such as “§764” refer to the version of the *House Rules and Manual* being used when *Cannon's Procedure* was published.

*Cannon's Procedure* also contains sample floor dialogues for undertaking specific parliamentary actions. While some of these dialogues are useful, many are no longer relevant to contemporary House practice. Use of these dialogues, and *Cannon's Procedure* as a whole, requires informed judgment.

An excerpt from *Cannon's Procedure* covering “Suspension of the Rules” is reprinted on the following page.<sup>22</sup>

*Cannon's Procedure* is out of print, but copies are available for reference at the House Legislative Resource Center/House Library (B-106 Cannon House Office Building) and the La Follette Congressional Reading Room (202 Madison Building, Library of Congress).

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<sup>21</sup> *Cannon's Procedure in the House of Representatives*, H.Doc. 610, 87<sup>th</sup> Cong., 2<sup>nd</sup> sess. (Washington: GPO, 1963).

<sup>22</sup> *Ibid.*, p. 456.

**Chapter topic. — Suspension of the Rules.**

[A motion to suspend the rules and pass a bill is a proposal to suspend all rules. Therefore on a motion to suspend the rules and pass a bill with amendments it is not necessary to read the original bill (VIII, 2871) and a demand for a separate vote on amendments is not in order (VIII, 3171).]

If objection is made.

**Suspension of the Rules.**

**Sample floor dialogue.**— *Speaker.* The gentleman from ----- objects, and the Chair appoints the gentleman from ----- (usually the member making the motion) and the gentleman from ----- (usually the Member objecting) as tellers. As many as favor seconding the motion to suspend the rules and pass the bill as read will pass between the tellers and be counted.

*Speaker* (if motion is seconded). On this vote the yeas are ----- and the nays are ----- A second is ordered. The gentleman from ----- has 20 minutes and the gentleman from ----- 20 minutes.

**Chapter subtopic. — When in order.**

On the first and third Mondays and last six days it is within the discretion of the Speaker (V, 6791-6794, 6845; VIII, 3402-3404), to recognize Members to move suspension of the rules (V, 6790); on other days he may recognize for the purpose by unanimous consent only (V, 6795).

But the Committee on Rules may bring in a special rule admitting the motion on other days as follows:

*Resolved,* That upon the adoption of this rule it shall be in order for the Speaker to recognize the Member in charge of the bill H. R. — to move to suspend the rules and pass the bill, the general rules of the House to the contrary notwithstanding.

The limitation forbidding orders excluding the motion to recommit while the previous question is pending, does not apply to resolutions designating a day to be devoted to motions to suspend the rules (VIII, 2265).

The Committee on Rules may also report resolutions authorizing consideration of bills on which suspension of the rules has been denied by the House (VIII, 3392), and resolutions affording a method of suspending the rules by majority vote (VIII, 3393, 3399).

**Precedence. — Chapter subtopic.**

Takes precedence over a bill coming over with previous question ordered (V, 6827, 6831-6833; VIII, 3418).

Motion to suspend the rules is admitted while another matter is pending (V, 6834) after the yeas and nays are demanded (V, 6835), before the Journal is read (IV, 2758), pending decision of points of order (VIII, 3422, 3424, 3428), and while the previous question is operating (V, 6827, 6831-6833; VIII, 3418).

Citation to Volume 5, section 6795 of Hinds' Precedents.

Summaries of precedents from Hinds' and Cannon's Precedents, with citations provided in parentheses.

Citation to Volume 8, section 3422 of Cannon's Precedents.

## Committee Rules of Procedure

House Rule XI, clause 2, requires that each standing committee adopt written rules of procedure consistent with the rules of the House, and publish these rules in the *Congressional Record* within 30 days of the committee's membership being elected at the start of a new Congress. These rules of procedure cover important aspects of committee proceedings, such as quorum and voting requirements, markups, and preparation of committee reports. Committee rules of procedure do not supersede those established by House Rule XI. It is useful to review the parliamentarian's annotations accompanying this rule in the *House Rules and Manual*.

Committee rules generally are not enforceable on the House floor. In *Procedure in the U.S. House of Representatives*, the House parliamentarian explains that “[a] point of order does not normally lie in the House against consideration of a bill by reason of defective committee procedures occurring prior to the time the bill was ordered reported to the House. Such point of order, if made in the House, may be overruled on the ground that the rules of a particular committee are for that committee to interpret unless they are in direct conflict with the rules of the House or unless the House rules specifically permit the raising of such objections.”<sup>23</sup> Committee rules can be enforced, however, in the committee that adopts them.

The House Rules Committee issues a print at the beginning of each Congress that compiles the rules of procedure of all House standing committees. All committee rules appear in the *Congressional Record* on the date they were submitted for publication, and some are published in a committee print, or in a committee's interim or final “Legislative Calendar.” Reprinted on the following page is an excerpt from the rules of the House Committee on Transportation and Infrastructure for the 105<sup>th</sup> Congress.<sup>24</sup>

The 108<sup>th</sup> Congress print of *Rules Adopted by the Committees of the House of Representatives* is available from the House Rules Committee (H-312 Capitol Building, 5-9191). Copies may be consulted at the House Legislative Resource Center/House Document Room (B-106 Cannon HOB, 6-5200).

**Internet:** *Rules Adopted by the Committees of the House of Representatives:*

**House Rules Committee**

[[http://www.house.gov/rules/rules\\_pubs\\_print.htm](http://www.house.gov/rules/rules_pubs_print.htm)]

The rules of most House committees can be accessed through the

**House WWW service** at [<http://www.house.gov/CommitteeWWW.html>] and

**GPO Access** at [<http://www.access.gpo.gov/congress/house/hclinks.html>].

<sup>23</sup> *Procedure in the U.S. House of Representatives*, chapter 17, sec. 11.1., p. 205.

<sup>24</sup> U.S. Congress, House, Committee on Rules, *Rules Adopted by the Committees of the House of Representatives, 105<sup>th</sup> Congress, 1997-1998*, committee print, 105<sup>th</sup> Cong., 1<sup>st</sup> sess. (Washington: GPO, 1997), p. 220.

(5) Authorization of a Natural Resources Conservation Service watershed project involving any single structure of more than 4,000 acre feet of total capacity (section 2 of P.L. 566, 83d Congress).

(d) *Quorum for Taking Testimony.*—Two members of the Committee or subcommittee shall constitute a quorum for the purpose of taking testimony and receiving evidence.

Committee rule number. — *Rule 7 —Hearing Procedures* — Subject matter of Rule VII.

(a) *Announcement.*—The Chairman, in the case of a hearing to be conducted by the Committee, and the appropriate subcommittee chairman, in the case of a hearing to be conducted by a subcommittee, shall make public announcement of the date, place, and subject matter of such hearing at least 1 week before the hearing unless the Committee determines that there is good cause to begin the hearing at an earlier date. In the latter event the Chairman or the subcommittee chairman, as the case may be, shall make such public announcement at the earliest possible date. The clerk of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record and shall promptly enter the appropriate information into the Committee scheduling service of the House Information Systems as soon as possible after such public announcement is made.

Clause b of Rule VII. — (b) *Written Statement; Oral Testimony.*—So far as practicable, each witness who is to appear before the Committee or a subcommittee shall file with the clerk of the Committee or subcommittee, at least 2 working days before the day of his or her appearance, a written statement of proposed testimony and shall limit his or her oral presentation to a summary of the written statement.

(c) *Minority Witnesses.*—When any hearing is conducted by the Committee or any subcommittee upon any measure or matter, the minority party members on the Committee or subcommittee shall be entitled, upon request to the Chairman by a majority of those minority members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least 1 day of hearing thereon.

(d) *Summary of Subject Matter.*—Upon announcement of a hearing, to the extent practicable, the Committee shall make available immediately to all members of the Committee a concise summary of the subject matter (including legislative reports and other material) under consideration. In addition, upon announcement of a hearing and subsequently as they are received, the Chairman shall make available to the members of the Committee any official reports from departments and agencies on such matter.

(e) *Participation of Committee Members in Subcommittees.*—All members of the Committee may sit with any subcommittee during any hearing or deliberations and may participate in such hearing or deliberations, but a member who is not a member of the subcommittee may not vote on any matter before such subcommittee.

(f) *Questioning of Witnesses.*—The questioning of witnesses in Committee and subcommittee hearings shall be initiated by the Chairman, followed by the ranking minority member and all other members alternating between the majority and minority parties. In recognizing members to question witnesses in this fashion, the

## Memorandums of Understanding Regarding Committee Jurisdiction

Standing committees often develop “memorandums of understanding” (sometimes referred to as “letters of agreement”) which explain an agreement between committees about how jurisdiction over specific policy issues will be divided. These memorandums, which are usually prepared at the beginning of a new Congress, are addressed to the Speaker of the House in the form of a letter from the involved committee chairmen. In effect, a memorandum of understanding advises the Speaker on the referral of measures concerning policy issues when the jurisdictional mandate of committees may be unclear or overlap. The Speaker decides the referral of legislation with the assistance of the House parliamentarian. Referral decisions are based as much as possible on the jurisdiction of standing committees set forth in Rule X and relevant precedents.<sup>25</sup> In practice, the Speaker and the House parliamentarian will honor memorandums of understanding in deciding the referral of legislation. These memorandums of understanding are therefore an important parliamentary reference source for questions about jurisdiction over specific policy issues.

It could be argued that memorandums of understanding increased in importance in the 104<sup>th</sup> Congress because of rules changes adopted by the House. For example, three standing committees were abolished, and their jurisdiction was transferred to other standing committees. As a result, some committees developed memorandums of understanding about jurisdiction over issues that were previously handled by abolished committees (the memorandum on the following page is an example). Another rules change eliminated joint referrals, and provided that the Speaker designate “a committee of primary jurisdiction” when referring measures to more than one committee.<sup>26</sup> This change made it important which committee is designated the “primary” committee at the time of referral. Hence, memorandums of understanding developed in the 104<sup>th</sup> Congress and since have sometimes specified which committees should have “primary jurisdiction” over particular issues.

Some memorandums of understanding are inserted in the *Congressional Record*, especially at the start of a new Congress, while others are not made available publicly. Reprinted on the following page is a memorandum of understanding between the committees on National Security and Transportation and Infrastructure from the 104<sup>th</sup> Congress.<sup>27</sup>

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<sup>25</sup> *House Rules and Manual* for the 108<sup>th</sup> Congress Rule XII, clause 2(b), sec. 816.

<sup>26</sup> *Ibid.*, Rule XII, clause 2(c), sec. 816.

<sup>27</sup> *Congressional Record*, daily edition, vol. 141, Jan. 30, 1995, p. H849.

MEMORANDUM OF  
UNDERSTANDING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. SHUSTER] is recognized for 5 minutes.

Mr. SHUSTER. Mr. Speaker, I submit for Members attention the following letter from myself and the chairman of the Committee on National Security, Mr. SPENCE, regarding jurisdiction.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, January 4, 1995*  
Hon. NEWT GINGRICH,  
*Speaker, House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: As Chairman of the Committee on Transportation and Infrastructure and the Committee on National Security, we wanted to advise you of our mutual agreement concerning the division of jurisdiction over the merchant marine due to the dissolution of the Committee on Merchant Marine and Fisheries. Rule X, clause 1(k) of the Rules of the House for the 104th Congress provides jurisdiction to the Committee on National Security over:

“(7) National security aspects of merchant marine, including financial assistance for the construction and operation of vessels, the maintenance of the U.S. shipbuilding and ship repair industrial base, cabotage, cargo preference, and merchant marine officers and seamen as these matters relate to the national security.”

The new Rule X, clause 1(q) provides the Committee on Transportation and Infrastructure with jurisdiction over:

“(12) Measures relating to merchant marine, except for national security aspects of merchant marine.”

This split in jurisdiction in what was previously entirely within the Committee on Merchant Marine and Fisheries is based on the fact that, while various aspects of the merchant marine and related activities are transportation matters that are handled in the executive branch by the Department of Transportation, certain aspects are so closely tied to national security that primary jurisdiction should be within the Committee on National Security. For example, the maintenance and control of the National Defense Reserve Fleet and the Ready Reserve Fleet would be within the jurisdiction of the Committee on National Security.

However, it may not be clear in all cases to which of the two Committees a particular bill should be referred. In general, matters relating to merchant marine activities will be referred to the National Security Committee if the national security aspects of the matter predominate over transportation and other merchant marine aspects.

While present programs of the Maritime Administration have both national security and transportation implications, we agree that primary jurisdiction over the annual authorization for the Maritime Administration would be in the Committee on National Security. Primary jurisdiction over the annual authorization for the Federal Maritime Commission would be in the Committee on Transportation and Infrastructure.

Shipbuilding is a subject that has a particularly strong connection with national security because of the implications for our defense industrial base. We agree that the National Shipbuilding Initiative, including the loan guarantee program under Title XI, would be within the primary jurisdiction of the Committee on National Security. In addition, the Congress likely will be requested to approve legislation to implement an international agreement to eliminate shipbuilding subsidies worldwide. While this is generally a laudable goal, the contents of this agreement must be examined in the context of its long-term effect on the shipbuilding industrial base. Of particular concern is the question of whether U.S.-based shipyards are disadvantaged by this agreement to the point that a transition from naval construction to commercial construction is impossible. We agree that, as between the Committees on National Security and Transportation and Infrastructure, primary jurisdiction over implementing legislation for this agreement should reside with the Committee on National Security.

Jurisdiction over the State and Federal Maritime Training Academies is granted in the rule specifically to the Committee on National Security. With respect to the provision in Rule X, clause 1(k)(9) concerning merchant marine officers and seamen, it is understood that measures whose predominant purpose is the maintenance of a well trained merchant mariner manpower pool capable of meeting sustainment and surge sealift requirements will be within the jurisdiction of the Committee on National Security. Shortages of qualified U.S. mariners to serve during the mobilization for Desert Storm highlighted the need to consider these problems from a national security standpoint.

Jurisdiction over the Coast Guard is provided to the Committee on Transportation and Infrastructure by Rule X, clause 1(q)(1). This confers upon the Transportation and Infrastructure Committee authority over all matters handled by the Coast Guard that were previously within the jurisdiction of the Merchant Marine and Fisheries Committee.

This letter may not address all merchant marine issues that will come before you. We will continue to work with you toward resolution of other issues as they arise.

Finally, it is understood that this agreement does not in any way alter or limit the jurisdiction of the Committee on Transportation and Infrastructure or of the Committee on National Security over matters discussed herein which were properly within the respective Committees' jurisdiction prior to the dissolution of the Committee on Merchant Marine and Fisheries.

Sincerely,

FLOYD D. SPENCE,  
*Chairman, Committee on*  
*National Security.*

BUD SHUSTER,  
*Chairman, Committee on*  
*Transportation and*  
*Infrastructure.*

## Publications of Committees and Offices of the House

Several publications prepared by committees and offices of the House provide valuable information about House parliamentary procedure and practices. While these publications are not official parliamentary reference sources, they often make references to official sources such as the rules of the House and published precedents. Publications issued by House committees and the Office of the House Parliamentarian are described below.

### Floor Procedures in the U.S. House of Representatives

The *Floor Procedure in the U.S. House of Representatives* (formerly titled *Floor Operations Manual*) takes the reader through the chamber's daily order of business from the call to order by the Speaker and the opening prayer to adjournment, providing references to applicable House rules and sample language on how to undertake some parliamentary actions.

The edition revised for the 106<sup>th</sup> Congress incorporates recent rule changes, including those made as a result of the bipartisan recodification of the rules of the House. It is arranged in 17 topical sections (down from 44 in the previous edition), in a concise, user friendly format. Floor dialogue examples, taken from the daily *Congressional Record*, are provided for many procedural topics. An abridged parliamentary dictionary appears as an appendix.

The most recent edition of this document was issued by Rules Committee chairman David Dreier in January 1999. The original version was written by Robert E. Bauman, a former Member of the House from Maryland. The text was revised and updated in 1994 by Robert S. Walker, a former Member from Pennsylvania and subsequently updated in 1997 by a former chairman of the Rules Committee, Gerald B.H. Solomon.

In his introduction to the 1999 edition, Representative Dreier explains that the manual is designed "to provide House Members and staff with a concise, yet informative user guide to the basic legislative process in the House of Representatives."

The *Republican Floor Operations Manual* is available from the House Rules Committee (5-9191) in the version published by the Congressional Institute.

**Internet:** An online version of the manual is available through these sites:

**House Rules Committee**

[[http://www.house.gov/rules/floor\\_man.htm](http://www.house.gov/rules/floor_man.htm)]

**Congressional Institute**

[<http://www.conginst.org/floor/>]

A similar version, searchable and with links to the rules of the House and other reference sources.

## Legislative Manuals of House Committees

The House Committee on Government Reform and Oversight (now the Committee on Government Reform) issued the first edition of its *Legislative Manual* during the second session of the 104<sup>th</sup> Congress. This publication built upon the structure of the *Legislative Manual* prepared by the House Committee on Science, Space, and Technology (now the Committee on Science) in previous Congresses. (The sixth edition of this manual, from the 103<sup>rd</sup> Congress, is the most recent one available in print.) The manuals provide a concise explanation of the rules and procedures involved at each stage of the House legislative process, with sample legislative documents presented. While the publications are written from the perspective of the issuing committees, much of the information in them has general applicability. Some relevant committee rules are described in each manual's discussion of committee action. The Government Reform and Oversight Committee's *Legislative Manual* reflects the House rules adopted through the first session of the 104<sup>th</sup> Congress.

Photocopied versions of the *Legislative Manual* of the former Committee on Government Reform and Oversight (1<sup>st</sup> edition), and of the former Committee on Science, Space, and Technology (6<sup>th</sup> edition), are available from the Congressional Research Service (7-5700).

## How Our Laws Are Made

*How Our Laws Are Made* was first published in 1953 by the House Judiciary Committee. The work provides a summary of the legislative process focusing on House procedures, from the drafting of legislation to final approval and presidential action. Sample documents from key stages of the process appear at the back of some editions. Although *How Our Laws Are Made* is intended for nonspecialists, its summary descriptions of House procedures serve as a useful reference source.

The 23<sup>rd</sup> edition of *How Our Laws Are Made*<sup>28</sup> was published in 2003. Prepared by the Office of the House Parliamentarian in consultation with the Office of the Senate Parliamentarian, the 23<sup>rd</sup> edition is available online. It reflects changes in congressional procedures since the 22<sup>nd</sup> edition, which was revised and updated in 2000.

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<sup>28</sup> U.S. Congress, House, *How Our Laws Are Made*, H.Doc. 108-93, 108<sup>th</sup> Cong., 1<sup>st</sup> sess., (Washington: GPO, 2003).

At the time this report was issued, the latest print version of *How Our Laws Are Made* was the 23<sup>rd</sup> edition (H.Doc. 108-93). It was distributed to House Member and committee offices upon publication, and is now available from the Government Printing Office.

**Internet:** The text of the 23<sup>rd</sup> edition of *How Our Laws Are Made* is available via the following websites:

**House page on LIS**

[<http://www.congress.gov/house.html>]

**THOMAS**

[<http://thomas.loc.gov/home/lawsmade.toc.html>]

**Office of the Clerk**

[<http://clerk.house.gov/>]

## Documents Prepared by House Party and Leadership Organizations

Documents prepared by House party and leadership organizations are generally issued only to each party's Members. This section discusses two examples of these documents. Both examples pertain to the rules adopted by each party's caucus or conference at the beginning of a new Congress. These documents are not official parliamentary reference sources.

### Rules of Each Party's Caucus or Conference

The rules of the Democratic Caucus and the Republican Conference are adopted by the House Members of the respective parties. This action takes place when the parties hold their early organizational meetings after the November congressional election. Upon adoption, the rules are printed and distributed to Members belonging to each party.<sup>29</sup> These rules, which are binding on the Members of the respective parties, cover topics such as the selection and terms of party leaders, meetings of the party caucus or conference, limitations on numbers and types of committee assignments, and terms of committee chairs.

Moreover, some party caucus or conference rules address topics of floor and conference procedure. These rules, in particular, can affect how the chamber as a whole considers legislation. For example, Rule 28 of Republican Conference rules for the 107<sup>th</sup> Congress directs the Speaker not to schedule a measure for consideration under suspension of the rules if the measure "fails to include a cost estimate, has not been cleared by the minority, was opposed by more than one-third of the committee members reporting the bill, or exceeds \$100,000,000 in authorizations,

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<sup>29</sup> Members of each party serving as Resident Commissioner from Puerto Rico, or as Delegate from American Samoa, the District of Columbia, Guam or the U.S. Virgin Islands, may also join the Democratic Caucus or the Republican Conference.

appropriations, or direct spending.” The Speaker may schedule such a measure only if he is specifically authorized to do so by a majority of the party’s elected leadership.

To cite another example, Rule 39 of Democratic Caucus rules for the 107<sup>th</sup> Congress specifies procedures for offering the motion to recommit, or the motion to instruct conferees, when the Democrats are in the minority in the House. Rule 39 provides, in part, that “[W]hen more than one Democratic Member proposes to offer such a motion, the Democratic Leader (or if not present and in the absence of a stated leadership position, the most senior elected Member of the leadership available) shall determine the course of action that best reflects the position of the Democratic Caucus and the Leadership.” This example and the one cited previously demonstrate how the rules of each party caucus or conference can determine House parliamentary procedure, and hence why it is useful to have information about these rules.

Caucus and conference rules are not enforceable on the House floor. These rules are created and enforced only by each party; they are not created through an exercise of the full House’s constitutional power to determine its rules.

## Appendix A: Bibliography of House Parliamentary Reference Sources

### Official Reference Sources

- U.S. Congress. House. *Cannon's Procedure in the House of Representatives*. 87<sup>th</sup> Congress, 2<sup>nd</sup> session. H.Doc. No. 610. Washington: GPO, 1963.
- . *Constitution, Jefferson's Manual and the Rules of the House* (published each Congress as a House document). 107<sup>th</sup> Congress, 2<sup>nd</sup> session. H.Doc. No.107-284. Washington: GPO, 2003.
- . *Deschler's Precedents of the U.S. House of Representatives* (in 16 volumes to date; volumes 10-16 are formally titled *Deschler-Brown Precedents of the U.S. House of Representatives*). 94<sup>th</sup> Congress, 2<sup>nd</sup> session. H.Doc. No. 94-661. Washington: GPO, 1977- .
- . *Hinds' and Cannon's Precedents of the House of Representatives* (in 11 volumes). Washington: GPO, 1907-1908, 1935-1941.
- . *House Practice: A Guide to the Rules, Precedents and Procedures of the House*. 108<sup>th</sup> Congress, 1<sup>st</sup> session. Washington: GPO, 2003.
- . *Procedure in the U.S. House of Representatives, A Summary of the Modern Precedents and Practices of the House, 86<sup>th</sup> Cong. - 97<sup>th</sup> Cong.* Washington: GPO, 1982.
- . *Procedure in the U.S. House of Representatives, 1985 Supplement*. Washington: GPO, 1986.
- . *Procedure in the U.S. House of Representatives, 1987 Supplement*. Washington: GPO, 1987.
- U.S. Congress. House. House Committee on Rules. *Rules Adopted by the Committees of the House of Representatives, 108<sup>th</sup> Congress, 2003-2004*. Committee print. 108<sup>th</sup> Congress, 1<sup>st</sup> session. Washington: GPO, 2003.
- U.S. Congress. House. *Rules of the House of Representatives*, an unnumbered print usually issued each session of Congress by the Clerk of the House.
- U.S. Congress. Senate. *A Manual of Parliamentary Practice for the Use of the Senate of the United States* (more commonly known as *Jefferson's Manual*). 103<sup>rd</sup> Congress, 1<sup>st</sup> session. S.Doc. 103-8. Washington: GPO, 1993.

## Publications of Committees and Offices of the House

*Floor Procedure in the U.S. House of Representatives* was issued in January 1999 by the House Rules Committee and published by the Congressional Institute. An earlier version entitled *Floor Operations Manual: U.S. House of Representatives* was issued in April 1997. A version under the title *House Republican Floor Manual* was issued by the Office of the House Majority Leader in January 1997.

*How Our Laws Are Made (23<sup>rd</sup> edition)*, prepared by the Office of the House Parliamentarian,, 108<sup>th</sup> Cong., 1<sup>st</sup> session. H.Doc. No. 108-93. Washington: GPO, 2003.

*Legislative Manual (1<sup>st</sup> Edition) of the Committee on Government Reform and Oversight, House of Representatives*. Washington: GPO, 1996.

*Legislative Manual (6<sup>th</sup> Edition) of the Committee on Science, Space, and Technology, House of Representatives*. Washington: GPO, 1995.

## CRS Products

Most titles, with the exception of the videoprogram and the general distribution memorandum, are available from the CRS Home Page at [<http://www.crs.gov>].

CRS Report 98-995. *The Amending Process in the House of Representatives*, by Christopher M. Davis and Stanley Bach.

CRS Report RL30244. *The Committee Markup Process in the House of Representatives*, by Stanley Bach and Judy Schneider.

CRS Report RS20147. *Committee of the Whole: An Introduction*, by Judy Schneider.

CRS Report 95-187. *Committee System: Rules Changes in the House, 104th Congress*, by Judy Schneider.

CRS Report 97-138. *Committee System: Rules Changes in the House, 105th Congress*, by Judy Schneider.

CRS Report RS20017. *Committee System: Rules Changes in the House, 106th Congress*, by Judy Schneider.

CRS Report RS20769. *Committee System: Rules Changes in the House, 107th Congress*, by Judy Schneider.

CRS Report RS21382. *Committee System: Rules Changes in the House, 108th Congress*, by Judy Schneider.

CRS Report RL32207. *Commonly Used Motions and Requests in the House of Representatives*, by Betsy Palmer.

- CRS Report 96-708. *Conference Committee and Related Procedures: An Introduction*, by Elizabeth Rybicki and Stanley Bach.
- CRS Report RS21339. *Congress' Early Organization Meetings*, by Judy Schneider.
- CRS Report RL32200. *Debate, Motions, and Other Actions in the Committee of the Whole*, by Bill Heniff Jr. and Elizabeth Rybicki
- CRS Report 98-572. *Decorum in House Debate*, by Mary E. Mulvihill.
- CRS Report 97-856. *Discharge Rule in the House: Recent Use in Historical Context*, by Richard S. Beth.
- CRS Report 97-552. *The Discharge Rule in the House of Representatives: Principal Features and Uses*, by Richard S. Beth.
- CRS Report RL31382. *Expulsion, Censure, Reprimand, and Fine: Legislative Discipline of Members of the House of Representatives*, by Jack H. Maskell.
- CRS Report 98-888. *"Fast-Track" or Expedited Procedures: Their Purposes, Elements, and Implications*, by Christopher M. Davis.
- CRS Report RL30725. *The First Day of a New Congress: A Guide to Proceedings on the House Floor*, by Mildred Lehmann Amer.
- CRS Report 97-236. *Floor Procedure in the House of Representatives: A Brief Overview*, by Elizabeth Rybicki and Stanley Bach.
- CRS Report RL30539. *Hearings in the House of Representatives: A Guide for Preparation and Procedure*, by Richard C. Sachs.
- CRS Report RL30945. *House and Senate Rules of Procedure: A Comparison*, by Judy Schneider.
- CRS Report 98-169. *House Committee Reports: Required Contents*, by Judy Schneider.
- CRS Report 97-301. *The House's Corrections Calendar*, by Walter J. Oleszek.
- CRS Report 98-309. *House Legislative Procedures: Published Sources of Information*, by Betsy Palmer.
- CRS Report 97-357. *House Rules Affecting Committees*, by Stanley Bach and Christopher M. Davis.
- CRS Report 97-1045. *House Rules and Precedents Affecting Committee Markup Procedures*, by Christopher M. Davis and Stanley Bach.
- CRS Report RS21388. *House Rules Changes Affecting Floor Proceedings in the 108th Congress*, by Elizabeth Rybicki.

- CRS Report 98-262. *House Rules Manual: Summary of Contents*, by Judy Schneider.
- CRS Report 98-228. *House Voting Procedures: Forms and Requirements*, by Walter J. Oleszek.
- CRS Report RS20067. *How Measures Are Brought to the House Floor: A Brief Introduction*, by James V. Saturno.
- CRS Report 98-996. *Legislative Procedures and the Legislative Agenda in the House of Representatives*, by Christopher M. Davis.
- CRS Multimedia MM70001. *Legislative Procedures of the U.S. Congress*, by Walter J. Oleszek.
- CRS Report 95-563. *The Legislative Process on the House Floor: An Introduction*, by Elizabeth Rybicki and Stanley Bach.
- CRS Report RS20131. *Morning Hour Debates: Current House Practices*, by Judy Schneider.
- CRS Report 97-647. *The Motion to Recommit in the House: The Minority's Motion*, by Mary E. Mulvihill.
- CRS Report RL30135. *One-Minute Speeches: Current House Practices*, by Judy Schneider.
- CRS Report 97-865. *Points of Order in the Congressional Budget Process*, by James V. Saturno.
- CRS Report RS20313. *Queen-of-the-Hill Rules in the House of Representatives*, by James V. Saturno.
- CRS Report 97-704. *Quorums in House Floor Proceedings: An Introduction*, by Stanley Bach.
- CRS Report 98-696. *Resolving Legislative Differences in Congress: Conference Committees and Amendments Between the Houses*, by Elizabeth Rybicki and Stanley Bach.
- CRS Report 98-710. *"Self-executing" Rules Reported by the House Committee on Rules*, by Walter J. Oleszek,.
- CRS Report 97-780. *The Speaker of the House: House Officer, Party Leader and Representative*, by James V. Saturno.
- CRS Report RL30136. *Special Order Speeches: Current House Practices*, by Judy Schneider.
- CRS Report 96-938. *Special Rules in the House of Representatives*, by James V. Saturno, Christopher M. Davis and Stanley Bach.

CRS Report 96-339. *Super-Majority Voting: Selected Implications*, by Richard S. Beth.

CRS Report 98-796. *Suspension of the Rules in the House of Representatives*, by Stanley Bach.

CRS General Distribution Memorandum. *Unfunded Mandates: Procedure in the House*, by Richard S. Beth.

CRS Report 98-988. *Voting and Quorum Procedures in the House of Representatives*, by Stanley Bach.

## **Appendix B: House Parliamentary Reference Information Available Through the Internet**

Throughout this report, Internet locations and websites at which electronic versions of various House parliamentary reference sources are available have been cited. This appendix lists these online resources in a single compendium for the convenience of the reader.

The vast majority of the referenced links can be accessed through one of three “gateway” websites maintained by legislative branch organizations: The Legislative Information System (LIS), GPO Access, and the House Committee on Rules website. Each of these sites (detailed below) provides a good entry point for research into House parliamentary procedure. Documents relating to House parliamentary procedure can also be found at other Library of Congress and House of Representatives websites at the locations indicated.

To find the document cited at a specified Internet location, use the internet address provided in brackets. The list is current as of this report’s publication date. Because information on the Internet is constantly changing, this list should not be considered exhaustive.

### **Legislative Information System of the U.S Congress (LIS)**

[<http://www.congress.gov>] (Available to Congress Only)

The Legislative Information System was released at the start of the 105<sup>th</sup> Congress and has been extensively redesigned for the 107<sup>th</sup> Congress. The information in the system is organized into six Web pages: Home, Senate, House, Agencies, Media, and Can’t Find It. Each page is accessible by clicking on one of the navigation tabs near the top of the page. The Senate and House pages include multiple links under the category “Rules, precedents, and procedures.” The “Agencies” page includes a link to GPO Access (Legislative), where many documents related to parliamentary procedure are located.

### **CRS Guides to Congressional Processes**

[<http://www.crs.gov/products/guides/guidehome.shtml>]

The latest version of this CRS electronic guide provides a wealth of information relating to House and Senate procedures. There are links to current versions of House and Senate rules and CRS reports on specific procedural topics. Electronic versions of *How Our Laws Are Made* and *Enactment of a Law* provide an overview of procedures in each chamber. Links within the fact sheets and procedural overviews take the user directly to pertinent House or Senate rules and to definitions in Congressional Quarterly’s *American Congressional Dictionary*.

## House Committee on Rules

[<http://www.house.gov/rules/>]

In addition to the *House Rules and Manual*, the text of House rules, and *House Practice*, this location includes links to explanatory material about House rules and procedure developed by the committee itself and by several other sources. There are links here to numerous subpages covering all of the following topics:

Rules and Precedents of the House, Parliamentary Terms and Definitions, General Parliamentary Procedure, the Budget Process, House Committee Procedures, House Floor Procedures, Resolving Differences with the Senate, Senate Process and Procedure, Parliamentary Outreach Program, Special Rules Reported, and the Opening Day Rules Package.

[[http://www.house.gov/rules/house\\_rules\\_precedents.htm](http://www.house.gov/rules/house_rules_precedents.htm)]

House Rules Committee Web page on “Rules and Precedents of the House,” provides links to several procedural publications and documents.

[[http://www.house.gov/rules/house\\_rules.htm](http://www.house.gov/rules/house_rules.htm)]

House Rules Committee Web page for the Rules of the 108<sup>th</sup> Congress, provides links to individual rules or to a copy of the entire document.

[[http://www.house.gov/rules/rulespack\\_108.htm](http://www.house.gov/rules/rulespack_108.htm)]

Provides a link to the text of H.Res. 5, adopting the rules of the House for the 108<sup>th</sup> Congress.

[[http://www.house.gov/rules/house\\_rules\\_precedents.htm](http://www.house.gov/rules/house_rules_precedents.htm)]

Provides a link, identified as “A Guide to the Rules, Precedents and Procedures of the House,” to the text of *House Practice* at the GPO Access Internet location.

[[http://www.house.gov/rules/floor\\_man.htm](http://www.house.gov/rules/floor_man.htm)]

Rules Committee link to the 1999 version of *Floor Procedure in the U.S. House of Representatives*.

## GPO Access

GPO Access Home Page

[<http://www.gpoaccess.gov/index.html>]

[<http://www.gpoaccess.gov/hrm/index.html>]

Searchable version of the *House Manual*.

[<http://www.access.gpo.gov/congress/senate/constitution/index.html>]

Searchable version of the 1992 edition of *The Constitution Annotated* (formally known as *Constitution of the United States of America: Analysis and Interpretation*, S.Doc. 103-6), and to its 1996 supplement (S.Doc. 104-14), 1998 supplement (S.Doc. 106-8) and 2000 supplement S.Doc 106-27. These editions of the Constitution are annotated by the Congressional Research Service with references to court decisions.

[<http://www.gpoaccess.gov/hpractice/browse.html>]  
Searchable version of *House Practice*.

[<http://www.access.gpo.gov/congress/house/hclinks.html>]  
Provides links to rules of most House committees.

## Other Library of Congress Sites

Constitution  
[<http://lcweb2.loc.gov/const/const.html>]

Amendments 1-10 (Bill of Rights)  
[<http://lcweb2.loc.gov/const/bor.html>]

Amendments 11-27  
[<http://lcweb2.loc.gov/const/amend.html>]

*How Our Laws Are Made*, version dated June 20, 2003.  
[<http://thomas.loc.gov/home/lawsmade.toc.html>]

## Other House of Representatives Sites

House Home Page  
[<http://www.house.gov>]

Clerk's print of House Rules for the 108<sup>th</sup> Congress, dated January 7, 2003.  
[[http://clerk.house.gov/legisAct/The\\_Legislative\\_Process/rules/108rules.pdf](http://clerk.house.gov/legisAct/The_Legislative_Process/rules/108rules.pdf)]

Links to *How Our Laws Are Made*, *House Practice*, and other parliamentary sources  
[[http://clerk.house.gov/legisAct/The\\_Legislative\\_Process/](http://clerk.house.gov/legisAct/The_Legislative_Process/)]

House Committees Web Page  
[<http://www.house.gov/CommitteeWWW.html>]

Most committee websites include a link to "committee rules." Links to these rules are listed below:

Agriculture	[ <a href="http://agriculture.house.gov/rules.htm">http://agriculture.house.gov/rules.htm</a> ]
Appropriations	[ <a href="http://appropriations.house.gov/index.cfm?FuseAction=GeneralInformation.CommitteeRules">http://appropriations.house.gov/index.cfm?FuseAction=GeneralInformation.CommitteeRules</a> ]
Armed Services	[ <a href="http://www.house.gov/hasc/about/rules.html">http://www.house.gov/hasc/about/rules.html</a> ]
Budget	[ <a href="http://www.house.gov/budget/budgetrules.pdf">http://www.house.gov/budget/budgetrules.pdf</a> ]
Education and the Workforce	[ <a href="http://edworkforce.house.gov/markups/108th/fc/organizational/25rulesfinal.pdf">http://edworkforce.house.gov/markups/108th/fc/organizational/25rulesfinal.pdf</a> ]
Energy and Commerce	[ <a href="http://energycommerce.house.gov/108/rules.htm">http://energycommerce.house.gov/108/rules.htm</a> ]
Financial Services	[ <a href="http://financialservices.house.gov/media/pdf/108-A.pdf">http://financialservices.house.gov/media/pdf/108-A.pdf</a> ]

Government Reform	[No apparent link on committee webpage]
House Administration	[ <a href="http://www.house.gov/cha/about_history/rules/rules.html">http://www.house.gov/cha/about_history/rules/rules.html</a> ]
International Relations	[ <a href="http://wwwc.house.gov/international_relations/108/rules108.pdf">http://wwwc.house.gov/international_relations/108/rules108.pdf</a> ]
Judiciary	[ <a href="http://www.house.gov/judiciary/rules.pdf">http://www.house.gov/judiciary/rules.pdf</a> ]
Resources	[ <a href="http://www.house.gov/resources/108cong/rules.htm#rule6">http://www.house.gov/resources/108cong/rules.htm#rule6</a> ]
Rules	[ <a href="http://www.house.gov/rules/108committee_rules.htm">http://www.house.gov/rules/108committee_rules.htm</a> ]
Science	[ <a href="http://www.house.gov/science/committeeinfo/PDFs/rules108.pdf">http://www.house.gov/science/committeeinfo/PDFs/rules108.pdf</a> ]
Small Business	[ <a href="http://www.house.gov/smbiz/rules.html">http://www.house.gov/smbiz/rules.html</a> ]
Standards of Official Conduct	[ <a href="http://www.house.gov/ethics/Rules_108th.htm">http://www.house.gov/ethics/Rules_108th.htm</a> ]
Transportation and Infrastructure	[ <a href="http://www.house.gov/transportation/rules.pdf">http://www.house.gov/transportation/rules.pdf</a> ]
Veterans Affairs	[ <a href="http://veterans.house.gov/about/rules108th.html">http://veterans.house.gov/about/rules108th.html</a> ]
Ways and Means	[ <a href="http://waysandmeans.house.gov/About.asp?section=64">http://waysandmeans.house.gov/About.asp?section=64</a> ]