

The Clerk read the resolution, as follows:

H. RES. 113

Resolved, That (a)(1) the two statutory positions specified in paragraph (2) are transferred from the House Republican Conference to the majority leader.

(2) The positions referred to in paragraph (1) are—

(A) the position established by section 102(a)(2) of the Legislative Branch Appropriations Act, 1988, as contained in section 101(i) of Public Law 100-202; and

(B) the position established by section 102(a)(2) of the Legislative Branch Appropriations Act, 1990.

(b)(1) The two statutory positions specified in paragraph (2) are transferred from the majority leader to the House Republican Conference.

(2) The positions referred to in paragraph (1) are—

(A) the position established for the chief deputy majority whip by subsection (a) of the first section of House Resolution 393, Ninety-fifth Congress, agreed to March 31, 1977, as enacted into permanent law by section 115 of the Legislative Branch Appropriation Act, 1978 (2 U.S.C. 74a-3); and

(B) the position established for the chief deputy majority whip by section 102(a)(4) of the Legislative Branch Appropriations Act, 1990;

both of which positions were transferred to the majority leader by House Resolution 10, One Hundred Fourth Congress, agreed to January 5 (legislative day, January 4), 1995.

SEC. 2. (a)(1) The two statutory positions specified in paragraph (2) are transferred from the Democratic Steering and Policy Committee to the minority leader.

(2) The positions referred to in paragraph (1) are—

(A) one of the two positions established by section 103(a)(1) of the Legislative Branch Appropriations Act, 1986; and

(B) the position established by section 102(a)(1) of the Legislative Branch Appropriations Act, 1988, as contained in section 101(i) of Public Law 100-202.

(b)(1) The two statutory positions specified in paragraph (2) are transferred from the minority leader to the Democratic Steering and Policy Committee.

(2) The positions referred to in paragraph (1) are—

(A) the position established by section 102(a)(3) of the Legislative Branch Appropriations Act, 1990; and

(B) the position established by paragraph 2. (a) of House Resolution 690, Eighty-ninth Congress, agreed to January 26, 1966, as enacted into permanent law by section 103 of the Legislative Branch Appropriation Act, 1967.

SEC. 3. (a) Upon the enactment of this section into permanent law, the amendment made by subsection (b) shall take effect.

(b) Subsection (a) of the first section of House Resolution 393, Ninety-fifth Congress, agreed to March 31, 1977, as enacted into permanent law by section 115 of the Legislative Branch Appropriation Act, 1978 (2 U.S.C. 74a-3) is amended by striking out “Chief majority whip” and inserting in lieu thereof “chief deputy majority whip”.

The SPEAKER pro tempore.⁽²⁴⁾ Is there objection to the request of the gentleman from Texas?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

§ 6. The Majority Leader and the Minority Leader

The party floor leaders in the House of Representatives are the Majority Leader and the Minority Leader. These officials are not officers of the House but are chosen by each of the two major party organizations.⁽¹⁾ Thus, unlike

24. Henry Bonilla (TX).

1. *Parliamentarian's Note*: Despite not being an officer of the House, the Minority Leader has customarily joined with the Speaker of the House to assert the House's institutional prerogatives regarding the President's use of “pocket veto” authority. See, e.g.,

the Speaker, they are not elected by the full House but are instead elected by the Democratic Caucus and the Republican Conference, and their selection merely announced to the House.⁽²⁾ When a vacancy occurs in either of these positions, the relevant party will make an announcement to the House informing the body of that party's choice to fill the vacancy.⁽³⁾ If the Majority Leader is absent, the party caucus may choose an "acting" Majority Leader to temporarily exercise the authorities of that position.⁽⁴⁾ Third parties have selected floor leaders in the past, but this has not been done in many decades.⁽⁵⁾ In one instance, a Minority Leader of the House (Rep. Gerald Ford of Michigan) was nominated (and confirmed) to the office of Vice President.⁽⁶⁾

The position of Majority Leader was not formally recognized until the 56th Congress (1899), although at various points in the 19th century, the majority party would delegate certain floor responsibilities to a designated Member (often the chair of the Committee on Ways and Means).⁽⁷⁾ As party leader, the Majority Leader is generally tasked with guiding legislation favored by the party to the floor of the House for a vote. The Majority Leader thus exercises various responsibilities regarding the House's agenda and schedule, including supervising the composition of the list of bills to be considered by suspension⁽⁸⁾ and negotiating unanimous-consent agreements with the minority party.⁽⁹⁾ The two party leaders (or designees thereof) customarily engage in a colloquy at the end of the week to discuss the House schedule for the upcoming week.⁽¹⁰⁾ The Majority Leader may also make ad

156 CONG. REC. 9473–74, 111th Cong. 2d Sess. (May 26, 2010). For more on vetoes generally, see Deschler's Precedents Ch. 24 §§ 17–23 and Precedents (Wickham) Ch. 24.

2. See § 6.1, *infra*. See also Deschler's Precedents Ch. 3 §§ 3.5, 6.4, and 17.1.

3. See §§ 6.2, 6.3, and 6.5, *infra*. See also Deschler's Precedents Ch. 3 §§ 3.6, 6.5, and 17.2.

4. See Deschler's Precedents Ch. 3 § 17.4.

5. See Deschler's Precedents Ch. 3 § 17.3.

6. See § 6.6, *infra*.

7. *Parliamentarian's Note*: James Madison is often described as the first floor leader of the House, recognizing his efforts during the First Congress (1789) to manage consideration of legislation creating the first executive departments and the first ten amendments to the Constitution (known as the Bill of Rights).

8. See Deschler's Precedents Ch. 3 §§ 18.2, 18.5.

9. See Deschler's Precedents Ch. 3 §§ 18.3, 18.4, and 18.7.

10. See § 6.17, *infra*. See also Deschler's Precedents Ch. 3 § 18.6.

Parliamentarian's Note: The traditional weekly schedule colloquy between party leaders appears to have its origins in the 1920s or 1930s. See, e.g., 80 CONG. REC. 7010, 74th Cong. 2d Sess. (May 8, 1936). By 1940, it was observed that, "it is the custom for the Majority Leader to make such announcements" regarding the upcoming schedule, indicating that the practice had been observed with some regularity in the preceding years. 86 CONG. REC. 2203, 76th Cong. 3d Sess. (Mar. 1, 1940). By the mid-

hoc announcements to the membership regarding the House's schedule,⁽¹¹⁾ or insert into the *Congressional Record* a calendar of days that the House is expected to be in session.⁽¹²⁾

The Majority Leader and the Minority Leader often take responsibility for offering certain resolutions on the floor, such as the resolution adopting the standing rules of the House,⁽¹³⁾ or other organizational resolutions.⁽¹⁴⁾ Traditionally, party leaders do not serve on committees.⁽¹⁵⁾ Although somewhat rare in modern practice, the Majority Leader may be appointed as Speaker pro tempore.⁽¹⁶⁾

The floor leaders often assume various ceremonial roles, such as participation on escort or notification committees.⁽¹⁷⁾ Upon election of a new Speaker, it is traditionally the Minority Leader who introduces the Speaker-elect to the body and presents such individual with the Chair's gavel.⁽¹⁸⁾

Despite their status as party officials rather than House officers, the Majority Leader and the Minority Leader are accorded certain prerogatives under the rules and precedents of the House.⁽¹⁹⁾ Under the standing rules, the party leaders have the prerogative to offer a resolution raising a question of the privileges of the House without the two-day notice requirement applicable to all other Members.⁽²⁰⁾ Pursuant to clause 2(d) of rule XXI,⁽²¹⁾ the Majority Leader (or designee) is authorized to offer a motion to rise from the Committee of the Whole and report the bill—a motion that has precedence over motions to amend the bill. Under clause 6(c) of rule XIII,⁽²²⁾ the

1940s, the custom of recognizing the Minority Leader to make inquiries of the Majority Leader regarding the House's schedule had developed (see, e.g., 88 CONG. REC. 4964, 77th Cong. 2d Sess. (June 5, 1942)), though the colloquy did not take place on a weekly basis until at least the 1950s.

11. See § 6.16, *infra*.

12. See § 6.16, *infra*.

13. See, e.g., 163 CONG. REC. H7 [Daily Ed.], 115th Cong. 1st Sess. (Jan. 3, 2017). See also Deschler's Precedents Ch. 3 § 17.7.

14. See, e.g., Deschler's Precedents Ch. 3 § 17.11.

15. See § 8, *infra*.

16. See, e.g., Deschler's Precedents Ch. 3 § 17.5.

17. See § 3, *supra*.

18. See § 2, *supra*.

19. For more on debate time divided on the basis of party affiliation (including debate time specifically allocated to the party floor leaders), see §§ 11, 12, *infra*.

20. Rule IX, clause 2(a)(1), *House Rules and Manual* § 699 (2017). The party leaders also have priority in recognition for debate on questions of privilege under clause 2(a)(2) of rule IX.

21. *House Rules and Manual* § 1040 (2017).

22. *House Rules and Manual* § 857 (2017).

Committee on Rules may not report certain special orders of business resolutions that preclude the Minority Leader (or designee) from offering a motion to recommit. Under the precedents, the Minority Leader is given priority in recognition with respect to motions to recommit under clause 2(a) of rule XIX.⁽²³⁾ Before the elimination of all restrictions on standing committees meeting during consideration of a measure under the five-minute rule in the Committee of the Whole, a former rule permitted the Majority Leader to offer a privileged motion to waive this restriction.⁽²⁴⁾

In addition to these privileges afforded by the standing rules, ad hoc orders of the House may likewise provide specific authorities that may only be exercised by the party leaders. For example, a resolution of the House may provide that debate time, motions, or other legislative actions normally available to any Member be restricted to party leaders⁽²⁵⁾ or the Majority Leader only.⁽²⁶⁾ In recent years, a separate order of the House has reserved the first ten bill numbers to the Speaker and the second ten bill numbers to the Minority Leader.⁽²⁷⁾

The House also observes a long-standing custom whereby the Speaker and the floor leaders are permitted extended debate time on the floor of the House. Typically, such individuals will be yielded a nominal amount of time (usually one minute) but then be permitted to speak without limit.⁽²⁸⁾ In one instance, the Speaker and the Majority Leader were granted special permission to extend their remarks in the *Congressional Record* until the last edition thereof for the Congress.⁽²⁹⁾

Many rules of the House contain a consultation requirement that must be met before certain authorities are exercised. For example, the Speaker is given various emergency convening and recess authorities in clause 12 of rule I.⁽³⁰⁾ However, such authorities may only be exercised after consultation with the Minority Leader.⁽³¹⁾ Similarly, the Speaker must consult with both floor leaders on the content of a catastrophic quorum failure report if such report is issued by the Sergeant-at-Arms (pursuant to clause 5(c)(3)(B)(ii)

23. *House Rules and Manual* § 1001 (2017). See also § 6.15, *infra*. See also Deschler's Precedents Ch. 23 § 27 and Deschler's Precedents Ch. 29 §§ 23.45–23.53.

24. Former rule XI, clause 2(i)(1), *House Rules and Manual* § 710 (1995).

25. See §§ 6.9, 6.12, *infra*.

26. See § 6.14, *infra*.

27. See, *e.g.*, § 6.1, *infra*.

28. See §§ 6.18–6.21, *infra*.

29. See § 6.7, *infra*.

30. *House Rules and Manual* § 639 (2017). See also Precedents (Wickham) Ch. 1 § 11.

31. For an earlier example of a recall of the House authorized by the Speaker and the floor leaders (and their counterparts in the Senate), see Deschler's Precedents Ch. 3 § 18.8.

of rule XX).⁽³²⁾ Similar consultation requirements are also found in the rule regarding the Committee on Oversight and Government Reform’s responsibility to report oversight plans to the House,⁽³³⁾ and in the rule regarding the establishment of a drug-testing program for the House.⁽³⁴⁾ Under section 406 of the Congressional Budget Act,⁽³⁵⁾ the Speaker is required to consult with the Minority Leader before appointing a “Member User Group” to review budgetary scorekeeping practices. In addition to these formal consultation requirements, the Speaker may also choose to consult with the floor leaders on any other issue pertinent to House operations.⁽³⁶⁾

The Speaker has, for many years, inserted into the *Congressional Record* a list of policy statements that inform the body how the Speaker intends to exercise certain authorities (such as recognition of Members or the enforcement of decorum rules).⁽³⁷⁾ With regard to unanimous-consent agreements, the Speaker’s policy statement typically indicates that the Speaker will not entertain unanimous-consent requests for the consideration of certain legislative measures unless such requests have been cleared with majority and minority leaderships.⁽³⁸⁾ This policy has been interpreted to require consultation with the Majority Leader and the Minority Leader, but not others in the leadership hierarchy (such as the whips).⁽³⁹⁾

While the Speaker is authorized to make all appointments to joint, select, and conference committees (pursuant to clause 11 of rule I),⁽⁴⁰⁾ the Speaker may solicit recommendations from the Minority Leader regarding the appointment of minority party Members to such committees.⁽⁴¹⁾ The Majority Leader has, on occasion, been appointed as a conferee for consideration of *all* matters committed to conference (rather than specific provisions).⁽⁴²⁾

32. *House Rules and Manual* § 1024a (2017).

33. Rule X, clause 2(d)(5), *House Rules and Manual* § 743 (2017).

34. Rule I, clause 9, *House Rules and Manual* § 635 (2017).

35. 2 U.S.C. § 656.

36. See, e.g., Deschler’s Precedents Ch. 3 § 17.16 (consultation with regard to floor privileges).

37. See, e.g., 163 CONG. REC. H34–H36 [Daily Ed.], 115th Cong. 1st Sess. (Jan. 3, 2017). See also Deschler’s Precedents Ch. 3 §§ 18.1, 19.6, and Precedents (Wickham) Ch. 6.

38. See, e.g., 163 CONG. REC. H35 [Daily Ed.], 115th Cong. 1st Sess. (Jan. 3, 2017). See also §§ 6.22, 6.23, *infra*.

39. See § 6.22, *infra*.

40. *House Rules and Manual* § 637 (2017).

41. For an example of the Speaker appointing a slate of minority party conferees upon recommendation of the Minority Leader, see 157 CONG. REC. 112th Cong. 1st Sess. (Dec. 23, 2011). See also § 6.11, *infra*.

42. See § 6.10, *infra*.

Certain boards, commissions, and independent committees may, pursuant to statute, contemplate a role for the floor leaders of the House—either as appointing authorities, or as members of such entities themselves.⁽⁴³⁾

Finally, House rulemaking contained in statute⁽⁴⁴⁾ may provide for special authorities or responsibilities for the party floor leaders, such as authorizing or requiring the introduction of certain legislation,⁽⁴⁵⁾ authorizing the offering of certain motions,⁽⁴⁶⁾ allocating debate time,⁽⁴⁷⁾ or conferring other authorities.⁽⁴⁸⁾

Selection of Floor Leaders

§ 6.1 The party selections of the Majority and Minority Leaders and Whips (and one other minority position) were announced to the House by the chairs of the respective party caucuses.

On January 5, 2011,⁽⁴⁹⁾ the following announcements were made:

MAJORITY LEADER

Mr. [Jeb] HENSARLING [of Texas]. Mr. Speaker, as chairman of the Republican Conference, I have been directed to report to the House that the Republican Members have selected as majority leader the gentleman from Virginia, the Honorable ERIC CANTOR.

MINORITY LEADER

Mr. [John] LARSON of Connecticut. Congratulations to you, Mr. Speaker, and congratulations to my colleague and chair of the Republican Conference.

Mr. Speaker, as chairman of the Democratic Caucus, I am directed by that conference to notify the House of Representatives officially that the Democratic Members have selected as minority leader the gentlewoman from California, the Honorable NANCY D'ALESSANDRO PELOSI.

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43. There have been at least 20 boards, commissions, or committees that provide (or have provided) an appointment role for the Speaker, Majority Leader, and/or Minority Leader. See also 121 CONG. REC. 1680, 94th Cong. 1st Sess. (Jan. 29, 1975) (Majority Leader and Minority Leader submitting respective recommendations for appointment to Federal Election Commission) and 155 CONG. REC. 6308, 112th Cong. 1st Sess. (Apr. 15, 2011) (appointment to Commission on Civil Rights). See also Deschler's Precedents Ch. 3 §§ 17.15, 17.17.
44. See Precedents (Wickham) Ch. 5.
45. See, e.g., 19 U.S.C. § 2191(c)(1).
46. See, e.g., 2 U.S.C. § 359.
47. See, e.g., 42 U.S.C. § 1395kkk(d)(4)(E).
48. See, e.g., 42 U.S.C. § 2159(d).
49. 157 CONG. REC. 79, 112th Cong. 1st Sess.

MAJORITY WHIP

Mr. HENSARLING. Mr. Speaker, as chairman of the Republican Conference, I am directed by that conference to notify the House officially that the Republican Members have selected as their majority whip the gentleman from California, the Honorable KEVIN MCCARTHY.

MINORITY WHIP AND ASSISTANT DEMOCRATIC LEADER

Mr. LARSON of Connecticut. Mr. Speaker, as chair of the Democratic Caucus, I am directed by that conference to notify the House of Representatives officially that the Democratic Members have selected as minority whip the gentleman from Maryland, the Honorable STENY HOYER; and as assistant Democratic leader, the gentleman from South Carolina, the Honorable JAMES CLYBURN.

§ 6.2 With the former Minority Leader having become Vice President, the selection of a new Minority Leader was announced by the chair of the Republican Conference.

On December 7, 1973,⁽⁵⁰⁾ the following announcement was made:

ELECTION OF JOHN J. RHODES AS MINORITY LEADER

(Mr. ANDERSON of Illinois asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. [John] ANDERSON of Illinois. Mr. Speaker, I am pleased to inform the House that at a meeting this morning of the House Republican caucus the distinguished gentleman from Arizona (Mr. RHODES), was unanimously elected to fill the vacancy in the post of House minority leader caused by the resignation of our former colleague, the now Vice President of the United States, Mr. GERALD R. FORD.

I am sure all Members will join me in extending our best wishes to the gentleman from Arizona in his new capacity. It has been my privilege to know him for the past 13 years and to work with him as a member of the House Republican leadership. During all of that time he has been unfailingly gracious and cooperative. I look forward to our continued friendship and a beneficial relationship.

§ 6.3 The Majority Leader having been elected Speaker of the House and the Majority Whip having resigned from the House, the selections of the new Majority Leader and Majority Whip by the Democratic Caucus were announced to the House by the vice chair of that caucus.

On June 14, 1989,⁽⁵¹⁾ the following announcements were made:

ANNOUNCEMENT OF SELECTION OF MAJORITY LEADER

Mr. [Steny] HOYER [of Maryland]. Mr. Speaker, as vice chairman of the Democratic caucus, I have been directed to report to the House that the Democratic Members have selected as majority leader the gentleman from Missouri, the Honorable DICK GEPHARDT.

50. 119 CONG. REC. 40265, 93d Cong. 1st Sess.

51. 135 CONG. REC. 11747-48, 101st Cong. 1st Sess.

ANNOUNCEMENT OF SELECTION OF MAJORITY WHIP

Mr. HOYER. Mr. Speaker, as vice chairman of the Democratic caucus, I have been directed to report to the House that the Democratic Members have selected as majority whip the gentleman from Pennsylvania, the Honorable BILL GRAY.

§ 6.4 The Majority Whip took the floor for a one-minute speech to bid farewell to the House on the day on which his resignation from the House (at the close of business) became effective.

On June 15, 1989,⁽⁵²⁾ the following occurred:

COELHO SAYS FAREWELL TO THE HOUSE OF REPRESENTATIVES

(Mr. COELHO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. [Tony] COELHO [of California]. Mr. Speaker, to my friends and colleagues, let me say that today a wonderful chapter in the lives of the Coelho family is closing.

And tomorrow, a new adventure for Phyllis, Kristen, Nicole, and myself will begin.

The joy we find in leaving is the opportunity our new lives promise for being together.

The sadness is in departing this House of Representatives; a place I truly love.

The generosity of my constituents, and the good will of my colleagues, have enabled me to serve for 25 years: as a staffer, as a Member, as campaign chair, and as majority whip.

Over that time, we made some changes and we made a difference. But now the winds of change blow anew.

Yesterday, two magnificent young leaders took their places as helmsmen for the Democratic Party.

Soon, the good people of the central San Joaquin Valley will choose a new Member to represent their interests in Washington.

Like a strong and steady stream, this House is constantly refreshed by new ideas and new leadership.

And that is what's so great about our system.

On behalf of all the Coelhos, I thank my colleagues for their friendship, hard work, and dedication to this great country.

God bless you. And may God bless our wonderful country. [Applause.]

§ 6.5 The selection of a new Majority Leader is announced to the House by the chair of the relevant party organization.

On September 28, 2005,⁽⁵³⁾ the following announcement was made:

MAJORITY LEADER

Ms. [Deborah] PRYCE of Ohio. Mr. Speaker, as chairman of the Republican Conference, I am directed by that conference to notify the House officially that the Republican Members have selected as majority leader the gentleman from Missouri, the Honorable ROY BLUNT.

52. 135 CONG. REC. 11952, 101st Cong. 1st Sess.

53. 151 CONG. REC. 21581, 109th Cong. 1st Sess. The former Majority Leader had been indicted in state court; Republican Conference rules required him to step aside upon indictment.

A similar announcement was made on February 8, 2006:⁽⁵⁴⁾

MAJORITY LEADER

Ms. [Deborah] PRYCE of Ohio. Mr. Speaker, as chairman of the Republican Conference, I am directed by that conference to notify the House officially that the Republican Members have selected as Majority Leader the gentleman from Ohio, the Honorable JOHN A. BOEHNER.

MAJORITY LEADER OF THE PEOPLE'S HOUSE

(Mr. BOEHNER asked and was given permission to address the House for 1 minute.)

Mr. [John] BOEHNER [of Ohio]. Let me thank my colleagues for their support and for this big job, and it is a big job.

I think all of the Members who I have worked with over the years know how I operate. I am a Republican. I believe in Republican principles. But this is the people's House. It is to represent all of the people. And while I want my party to win every day, I want us to win fairly and honestly. And so I will say to all of you, I am going to do my best for the people's House. You may not agree with every decision we make every day, but I think all of you know in the marrow of my bones I believe in fairness.

As I have said before, when you have 11 brothers and sisters and your dad owned a bar, you have learned a lot of lessons along the way.

On July 31, 2014,⁽⁵⁵⁾ after the former Majority Leader made a farewell speech on the floor,⁽⁵⁶⁾ the chair of the Republican Conference announced his successor as follows:

MAJORITY LEADER

Mrs. [Cathy] McMORRIS RODGERS [of Washington]. Madam Speaker, as chair of the Republican Conference, I am directed by that Conference to notify the House officially that the Republican Members have selected as majority leader the gentleman from California, the Honorable KEVIN MCCARTHY, effective August 1, 2014.

Duties and Prerogatives of Floor Leaders

§ 6.6 A Minority Leader of the House was nominated to the position of Vice President of the United States following the resignation of the sitting Vice President, and the Speaker laid such nomination before the House.

54. 152 CONG. REC. 1083, 109th Cong. 2d Sess.

55. 160 CONG. REC. H7177 [Daily Ed.], 113th Cong. 2d Sess.

56. See 160 CONG. REC. H7150–51 [Daily Ed.], 113th Cong. 2d Sess. The former Majority Leader lost his party primary for reelection to his seat and thus decided to step down from his leadership post and resign from the House. See 160 CONG. REC. H7247, H7248 [Daily Ed.], 113th Cong. 2d Sess. (Sept. 8, 2014).

On October 13, 1973,⁽⁵⁷⁾ the following message from the President was laid before the House:

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

NOMINATION OF VICE PRESIDENT—MESSAGE FROM THE PRESIDENT OF
THE UNITED STATES (H. DOC. NO. 93-165)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee on the Judiciary and ordered to be printed:

TO THE CONGRESS OF THE UNITED STATES:

Pursuant to the provisions of Section 2 of the Twenty-fifth Amendment to the Constitution of the United States, I hereby nominate Gerald R. Ford, of Michigan, to be the Vice President of the United States.

RICHARD NIXON.

THE WHITE HOUSE, *October 13, 1973.*

§ 6.7 By unanimous consent, the Speaker and the Majority Leader were granted permission to extend their remarks in the *Congressional Record* until the last edition thereof, and to include a summary of the work of the first session of the Congress.

On December 19, 1975,⁽⁵⁸⁾ the following unanimous-consent request was transacted:

PERMISSION FOR SPEAKER AND MAJORITY LEADER TO EXTEND THEIR
REMARKS

Mr. [Thomas] O'NEILL [of Massachusetts]. Mr. Speaker, I ask unanimous consent that the majority leader and the Speaker of the House may have the privilege of extending their remarks up to and including the publication of the last RECORD and to include a summary of the work of the Congress.

The SPEAKER.⁽⁵⁹⁾ Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

57. 119 CONG. REC. 34032, 93d Cong. 1st Sess. See also Deschler's Precedents Ch. 10 § 4; Deschler's Precedents Ch. 13 § 22.1; and Deschler's Precedents Ch. 36 § 26.

58. 121 CONG. REC. 41975, 94th Cong. 1st Sess.

59. Carl Albert (OK).

§ 6.8 A designee of the Majority Leader of the House having offered a motion to adjourn pursuant to a concurrent resolution providing for *sine die* adjournment of the first session of the 98th Congress upon motion of the Majority Leader or his designee, the House adjourned *sine die*.

On November 16, 1983,⁽⁶⁰⁾ the following concurrent resolution was adopted:

PROVIDING FOR ADJOURNMENT SINE DIE ON THURSDAY, NOVEMBER 17, 1983, FRIDAY NOVEMBER 18, 1983, OR SATURDAY, NOVEMBER 19, 1983

Mr. [Thomas] FOLEY [of Washington]. Mr. Speaker, I send to the desk a privileged concurrent resolution (H. Con. Res. 221) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 221

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Thursday, November 17, 1983, on Friday, November 18, 1983, or on Saturday, November 19, 1983, pursuant to a motion made by the majority leader, or his designee, in accordance with this resolution, and that when the Senate adjourns on Thursday, November 17, 1983, on Friday, November 18, 1983, or on Saturday, November 19, 1983, pursuant to a motion made by the majority leader in accordance with this resolution, they stand adjourned sine die, or until 12 o'clock meridian on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution.

SEC. 2. The Speaker of the House, after consultation with the minority leader of the House, and the majority leader of the Senate, after consultation with the minority leader of the Senate, acting jointly, shall notify the Members of the House and Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

On November 18, 1983,⁽⁶¹⁾ the following occurred:

ADJOURNMENT SINE DIE

Mr. [Harry] REID [of Nevada]. Mr. Speaker, pursuant to House Concurrent Resolution 221, I move that the House do now adjourn sine die.

The motion was agreed to.

The SPEAKER pro tempore.⁽⁶²⁾ In accordance with the provisions of House Concurrent Resolution 221, the Chair declares the 1st session of the 98th Congress adjourned sine die.

Thereupon (at 7 o'clock and 34 minutes p.m.) pursuant to House Concurrent Resolution 221, the House adjourned.

§ 6.9 The House agreed to a resolution providing various end-of-session authorities, including authority for the party floor leaders (but not other Members) to offer from the floor (or announce an

60. 129 CONG. REC. 33123, 98th Cong. 1st Sess.

61. 129 CONG. REC. 34216, 98th Cong. 1st Sess.

62. Robert Edgar (PA).

intention to offer) resolutions raising questions of the privileges of the House for a remainder of the session.

On November 6, 1997,⁽⁶³⁾ the following resolution was agreed to:

PROVIDING FOR CONSIDERATION OF HOUSE RESOLUTION 305, WAIVING REQUIREMENT OF CLAUSE 4(B) OF RULE XI WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM COMMITTEE ON RULES

Mr. [Gerald] SOLOMON [of New York]. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 305 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 305

Resolved, That the requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported from that committee before November 10, 1997, providing for consideration or disposition of any of the following:

(1) A bill or joint resolution making general appropriations for the fiscal year ending September 30, 1998, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

(2) A bill or joint resolution that includes provisions making continuing appropriations for fiscal year 1998, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

SEC. 2. It shall be in order at any time before November 10, 1997, for the Speaker, to entertain motions to suspend the rules, provided that the object of any such motion is announced from the floor at least one hour before the motion is offered. In scheduling the consideration of legislation under this authority, the Speaker or his designee shall consult with the minority leader or his designee.

SEC. 3. During the remainder of the first session of the One Hundred Fifth Congress—

(1) notwithstanding clause 2(a)(1) of rule IX, a resolution noticed as a question of the privileges of the House during the period from November 4, 1997, through the adoption of this resolution shall have precedence of all other questions except motions to adjourn only at a time designated by the Speaker; and

(2) the Speaker may not recognize a Member other than the majority leader or the minority leader to offer from the floor, or to announce an intention to offer, a resolution as a question of the privileges of the House.

MOTION TO ADJOURN

Mr. [Silvestre] REYES [of Texas]. Mr. Speaker, I move that the House do now adjourn. The SPEAKER pro tempore (Mr. [Paul] GILLMOR [of Ohio]). The question is on the motion to adjourn offered by the gentleman from Texas [Mr. REYES].

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

RECORDED VOTE

Mr. REYES. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 100, noes 309, not voting 24, as follows:

[Roll No. 586] . . .

So the motion to adjourn was rejected.

63. 143 CONG. REC. 24776–77, 24784, 24785, 24786, 105th Cong. 1st Sess.

The result of the vote was announced as above recorded.

WAIVING REQUIREMENT OF CLAUSE 4(B) OF RULE XI WITH RESPECT TO
CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM COM-
MITTEE ON RULES

The SPEAKER pro tempore (Mr. [Thomas] EWING [of Illinois]). The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour. . . .

Mr. SOLOMON. . . .

The final section of the rule provides that during the remainder of the 1st session of the 105th Congress, the Speaker may not recognize a Member, other than the majority leader or the minority leader, to offer from the floor or to announce an intention to offer a resolution as a question of the privileges of the House.

This section of the rule further provides that the Speaker may postpone the consideration of any noticed resolution as a question of the privileges of the House prior to the adoption of this resolution during the remainder of the first session of the 105th Congress.

Mr. Speaker, the procedures for calling up a rule on the same day that it is reported from the Committee on Rules are familiar to the House. It is customary for the appropriation measures at the end of the session. Also, providing for motions to suspend the rules on days other than Mondays or Tuesdays is very useful so that bipartisan, non-controversial legislation can move rapidly at the end of the session.

We have a particular problem in the borders with Canada where there are problems with people coming back and forth. There is some bipartisan legislation that we hope to move under this kind of a procedure. Adequate provision for notice to the minority are provided, as has been the case in the past.

Mr. Speaker, in the furtherance of our target adjournment date, this rule also addresses the dilatory tactics and abuse of the House rules we have seen in recent weeks on the floor. As the House is well aware, certain Members have utilized the procedure under House rule IX, questions of the privilege of the House, to force debate and votes on the contested election in the 46th Congressional District in California. Under that rule, Members may give notice of their intention to raise a question of privilege of the House and the Speaker then sets an appropriate time within 2 legislative days for the consideration of the question of the privilege. Certain minority Members' repeated and dilatory use of these questions of privilege to filibuster the legislative process I believe creates a privilege in itself, and that is why we are here today with this rule.

The disposal of these near identical notices under rule IX consumes precious hours as well as requiring an astounding number of votes. The use of the rule relating to the questions of the privilege of the House in a frivolous and political manner is unbecoming, I think, to this institution, and that certainly is verified by the literally hundreds of phone calls that I have received because people know that I am chairman of the Committee on Rules, calls from all over the country, wanting to know why we are wasting our time with these repeated repetitious requests for questions of privilege.

Mr. Speaker, for several weeks the majority and the minority leadership have attempted to reach an accommodation regarding these dilatory questions of privilege. On October 23, the distinguished minority leader, who I have great respect for, rose to a question of privilege on this issue. Instead of simply tabling the matter with no debate,

the House considered the resolution, debated it for an hour and defeated it, under regular order of this House. The majority leadership allowed it to be debated out of deference to the minority leader and voted on it. The House worked its will and defeated that resolution.

In exchange for allowing this issue to be debated and voted on, the minority provided the following: October 29, one question of privilege tabled. October 30, eight questions of privilege tabled. October 31, 21 questions of privilege noticed. November 4, 7 questions of privilege noticed, and yesterday, November 5, another 13 questions of privilege were noticed, delaying us bringing up very important matters dealing with the United States–China relationship by about an hour and a half, another hour and a half that we were delayed from working the will of this House. . . .

Mr. Speaker, the committee’s intention was to empower the very serious legislators on both sides of the aisle and to marginalize the partisan obstructions. This has not happened, and that is why I was forced today to rise with this unfortunate rule today.

I do not like to bring this rule before the House. I said so last night during the debate exchange in the Committee on Rules. But, Mr. Speaker, many Members on both sides of the aisle with a very strong interest in getting legislation considered by the House before we adjourn have approached me and asked for the Committee on Rules to intervene and to restore order on this floor, so we can expedite these very, very serious measures that we have to deal with before this Sunday. . . .

Ms. [Louise] SLAUGHTER [of New York]. Mr. Speaker, I rise today to strongly oppose this tyrannical rule. For the first time in the 218–year history of the House of Representatives, we will be voting to deprive all but two Members of this body the right to assert their constitutional prerogatives as Representatives elected by their constituents. House rule IX gives each and every Member of this House the right to raise before the whole body questions of privilege affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings.

The House adopted rule IX in 1880, defining what had been long established in the practice of the House before then. Thomas Jefferson begins his *Manual on Parliamentary Procedure*, which has governed the House procedures since 1837, with section 1, titled “The Importance of Adhering to Rules.” It quotes a former Speaker of the House of Commons’ views on the neglect of, or departure from, the rules of proceeding.

I quote:

That these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority against the attempts of power.

Jefferson then continues:

As it is always in the power of the majority, by their numbers, to stop any improper measures proposed by their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which they have adopted as they have found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses, which these forms were intended to check, which the wantonness of power is but too often apt to suggest to large and successful majorities.

Mr. Jefferson, the author of the Declaration of Independence, surely would have opposed the wantonness of power displayed by the majority in offering this rule. Rule IX

is the heart of Members' individual rights within our rules. It guarantees that each Member has the right to move to guarantee the integrity of House proceedings. That right is so central to our idea of representative government and liberty itself that in all of the 104 Congresses before today, the House has never voted to suspend this paramount right. . . .

Mr. [Gerald] SOLOMON [of New York]. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER pro tempore.⁽⁶⁴⁾ The question is on ordering the previous question.

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

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 5 of rule XV the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of agreeing to the resolution.

The vote was taken by electronic device, and there were—yeas 224, nays 198, not voting 11, as follows:

[Roll No. 587] . . .

So the motion to lay on the table the motion to reconsider was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mrs. [Jo Ann] EMERSON [of Missouri]). The question is on the resolution.

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

RECORDED VOTE

Mr. SLAUGHTER. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayeas 219, noes 195, not voting 19, as follows:

[Roll No. 589] . . .

MOTION TO RECONSIDER THE VOTE OFFERED BY MR. FRANK OF MASSACHUSETTS

Mr. [Barney] FRANK of Massachusetts. Madam Speaker, I move to reconsider the vote just taken.

MOTION TO TABLE OFFERED BY MR. SOLOMON

Mr. SOLOMON. Madam Speaker, I move to lay on the table the motion to reconsider offered by the gentleman from Massachusetts [Mr. FRANK].

64. Paul Gillmor (OH).

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from New York [Mr. SOLOMON] to lay on the table the motion offered by the gentleman from Massachusetts [Mr. FRANK] to reconsider the vote.

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

RECORDED VOTE

Mr. FRANK of Massachusetts. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 218, noes 201, not voting 14, as follows:

[Roll No. 590] . . .

So the motion to table the motion to reconsider was agreed to.

The result of the vote was announced as above recorded.

§ 6.10 In exercising the Speaker's authority to appoint Members to conference committees, the Speaker may appoint the Majority Leader for all matters committed to conference rather than (as is usually the case) for specific provisions only.

On June 3, 2004,⁽⁶⁵⁾ the following appointments were made by the Speaker (including the appointment of the Majority Leader, Rep. Tom DeLay of Texas, to all matters committed to conference):

APPOINTMENT OF CONFEREES ON H.R. 3550, TRANSPORTATION EQUITY ACT:
A LEGACY FOR USERS

The SPEAKER pro tempore.⁽⁶⁶⁾ Without objection, the Chair appoints the following conferees:

From the Committee on Transportation and Infrastructure, for consideration of the House bill (except title IX) and the Senate amendment (except title V), and modifications committed to conference: Messrs. YOUNG of Alaska, PETRI, BOEHLERT, COBLE, DUNCAN, MICA, HOEKSTRA, EHLERS, BACCHUS, LATOURETTE, GARY G. MILLER of California, REHBERG, BEAUPREZ, OBERSTAR, RAHALL, LIPINSKI, DEFAZIO, COSTELLO, Ms. NORTON, Mr. NADLER, Mr. MENENDEZ, Ms. CORRINE BROWN of Florida, Mr. FILNER, and Ms. EDDIE BERNICE JOHNSON of Texas.

From the Committee on the Budget, for consideration of sections 8001–8003 of the House bill, and title VI of the Senate amendment, and modifications committed to conference: Messrs. NUSSLE, SHAYS, and SPRATT.

From the Committee on Education and the Workforce, for consideration of sections 1602 and 3030 of the House bill, and sections 1306, 3013, 3032, and 4632 of the Senate

65. 150 CONG. REC. 11415–16, 108th Cong. 2d Sess.

66. Doug Ose (CA).

amendment, and modifications committed to conference: Mr. BALLENGER, Mrs. BIGGERT, and Mr. GEORGE MILLER of California.

From the Committee on Energy and Commerce, for consideration of provisions of the House bill and Senate amendment relating to Clean Air Act provisions of transportation planning contained in section 6001 of the House bill, and sections 3005 and 3006 of the Senate amendment; and sections 1202, 1824, 1828, and 5203 of the House bill, and sections 1501, 1511, 1522, 1610–1619, 3016, 3023, 4108, 4151, 4152, 4155–4159, 4162, 4172, 4173, 4424, 4481, 4482, 4484, 4662, 8001, and 8002 of the Senate amendment, and modifications committed to conference: Messrs. BARTON of Texas, PICKERING and DINGELL.

From the Committee on Government Reform, for consideration of section 1802 of the Senate amendment, and modifications committed to conference: Messrs. TOM DAVIS of Virginia, SCHROCK, and WAXMAN.

From the Committee on the Judiciary, for consideration of sections 1105, 1207, 1602, 1812, 2011, 3023, 4105, 4108, 4201, 4202, 4204, 5209, 5501, 6001, 6002, 7012, 7019–7022, and 7024 of the House bill, and sections 1512, 1513, 1802, 3006, 3022, 3030, 4104, 4110, 4174, 4226, 4231, 4234, 4265, 4307, 4308, 4315, 4424, 4432, 4440–4442, 4445, 4447, 4462, 4463, 4633, and 4661 of the Senate amendment, and modifications committed to conference: Messrs. SENSENBRENNER, SMITH of Texas, and CONYERS.

From the Committee on Resources, for consideration of sections 1117, 3021, 6002, and 6003 of the House bill, and sections 1501, 1502, 1505, 1511, 1514, 1601, 1603, 3041, and 4521 through 4528 of the Senate amendment, and modifications committed to conference: Messrs. POMBO, GIBBONS and KIND.

From the Committee on Rules, for consideration of sections 8004 and 8005 of the House bill, and modifications committed to conference: Messrs. DREIER, SESSIONS and FROST.

From the Committee on Science, for consideration of sections 2001, 3013, 3015, 3034, 4112, and Title V of the House bill, and Title II, sections 3014, 3015, 3037, 4102, 4104, 4237, and 4461 of the Senate amendment, and modifications committed to conference: Messrs. GILCHREST, NEUGEBAUER and GORDON.

From the Committee on Ways and Means, for consideration of Title IX of the House bill, and Title V of the Senate amendment, and modifications committed to conference: Messrs. THOMAS, McCRERY and RANGEL.

For consideration of the House bill and Senate amendment, and modifications committed to conference: Mr. DELAY.

There was no objection.

On May 26, 2005,⁽⁶⁷⁾ the Speaker made conferee appointments on a similar bill in the following Congress, again appointing the Majority Leader to all matters committed to conference:

APPOINTMENT OF CONFEREES ON H.R. 3, TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

Mr. [Donald] YOUNG of Alaska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, with a Senate

67. 151 CONG. REC. 11436, 11459, 109th Cong. 1st Sess.

amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

Is there objection to the request of the gentleman from Alaska?

There was no objection. . . .

APPOINTMENT OF CONFEREES ON H.R. 3, TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

The SPEAKER pro tempore (Mr. [Randy] KUHL of New York). Without objection, the Chair appoints the following conferees:

From the Committee on Transportation and Infrastructure, for consideration of the House bill (except title X) and the Senate amendment (except title V), and modifications committed to conference:

Messrs. YOUNG of Alaska, PETRI, BOEHLERT, COBLE, DUNCAN, MICA, HOEKSTRA, LATOURETTE, BACHUS, BAKER, GARY G. MILLER of California, HAYES, SIMMONS, BROWN of South Carolina, GRAVES, SHUSTER, BOOZMAN, OBERSTAR, RAHALL, DEFazio, COSTELLO, Ms. NORTON, Messrs. NADLER, MENENDEZ, Ms. CORRINE BROWN of Florida, Mr. FILNER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TAYLOR of Mississippi, Ms. MILLENDER-McDONALD, Mr. CUMMINGS, Mr. BLUMENAUER, and Mrs. TAUSCHER.

From the Committee on the Budget, for consideration of sections 8001–8003 of the House bill, and title III of the Senate amendment, and modifications committed to conference: Messrs. NUSSLE, MARIO DIAZ–BALART of Florida, and Spratt.

From the Committee on Education and the Workforce, for consideration of sections 1118, 1605, 1809, 3018, and 3030 of the House bill, and sections 1304, 1819, 6013, 6031, 6038, and 7603 of the Senate amendment, and modifications committed to conference: Messrs. KLINE, KELLER, and BARROW.

From the Committee on Energy and Commerce, for consideration of provisions in the House bill and Senate amendment relating to Clean Air Act provisions of transportation planning contained in sections 6001 and 6006 of the House bill; and sections 6005 and 6006 of the Senate amendment; and sections 1210, 1824, 1833, 5203, and 6008 of the House bill; and sections 1501, 1511, 1522, 1610–1619, 1622, 4001, 4002, 6016, 6023, 7218, 7223, 7251, 7252, 7256–7262, 7324, 7381, 7382, and 7384 of the Senate amendment, and modifications committed to conference: Messrs. BARTON of Texas, PICKERING, and DINGELL.

From the Committee on Government Reform, for consideration of section 4205 of the House bill, and section 2101 of the Senate amendment, and modifications committed to conference: Messrs. TOM DAVIS of Virginia, PLATTS, and WAXMAN.

From the Committee on Homeland Security, for consideration of sections 1834, 6027, 7324, and 7325 of the Senate amendment, and modifications committed to conference: Messrs. COX, DANIEL E. LUNGREN of California, and THOMPSON of Mississippi.

From the Committee on the Judiciary, for consideration of sections 1211, 1605, 1812, 1832, 2013, 2017, 4105, 4201, 4202, 4214, 7018–7020, and 7023 of the House bill, and sections 1410, 1512, 1513, 6006, 6029, 7108, 7113, 7115, 7338, 7340, 7343, 7345, 7362, 7363, 7406, 7407, and 7413 of the Senate amendment, and modifications committed to conference: Messrs. SENSENBRENNER, SMITH of Texas, and CONYERS.

From the Committee on Resources, for consideration of sections 1119, 3021, 6002, and 6003 of the House bill, and sections 1501, 1502, 1505, 1511, 1514, 1601, 1603, 6040, and

7501–7518 of the Senate amendment, and modifications committed to conference: Messrs. POMBO, WALDEN of Oregon, and KIND.

From the Committee on Rules, for consideration of sections 8004 and 8005 of the House bill, and modifications committed to conference: Mr. DREIER, Mrs. CAPITO, and Mr. MCGOVERN.

From the Committee on Science, for consideration of sections 2010, 3013, 3015, 3034, 3039, 3041, 4112, and title V of the House bill, and title II and sections 6014, 6015, 6036, 7118, 7212, 7214, 7361, and 7370 of the Senate amendment, and modifications committed to conference: Messrs. EHLERS, REICHERT, and GORDON.

From the Committee on Ways and Means, for consideration of title X of the House bill, and title V of the Senate amendment, and modifications committed to conference: Messrs. THOMAS, MCCRERY, and RANGEL.

For consideration of the House bill and Senate amendment, and modifications committed to conference: Mr. DELAY.

There was no objection.

§ 6.11 Where there has been an absence of recommendations from the Minority Leader, the Speaker has appointed only majority party Members to a conference committee.⁽⁶⁸⁾

On December 20, 2011,⁽⁶⁹⁾ the following occurred:

APPOINTMENT OF CONFEREES ON H.R. 3630, MIDDLE CLASS TAX RELIEF
AND JOB CREATION ACT OF 2011

The SPEAKER.⁽⁷⁰⁾ The Clerk will read the Chair's appointment of conferees. Additional conferees may be appointed on the recommendation of the minority leader.

The Clerk read as follows:

The Chair appoints the following managers on the part of the House for consideration of H.R. 3630 and the Senate amendments, and modifications committed to conference: Messrs. Camp, Upton, Brady of Texas, Walden, Price of Georgia, Reed, Mrs. Ellmers, and Ms. Hayworth.

§ 6.12 By unanimous consent, the House authorized the Speaker to resolve the House into a secret session and set the parameters for that secret session (including a division of debate time between the Majority Leader and the Minority Whip).

On March 13, 2008,⁽⁷¹⁾ the following occurred:

68. *Parliamentarian's Note:* While the Speaker is not required to consult with the Minority Leader on conferee appointments, such consultation generally does occur. Here, the Speaker made majority party appointments prior to receiving the recommendations of the Minority Leader. For the Speaker's appointment of minority party Members to this conference committee, see 157 CONG. REC. 21485, 112th Cong. 1st Sess. (Dec. 23, 2011).

69. 157 CONG. REC. 21438–39, 112th Cong. 1st Sess.

70. John Boehner (OH).

71. 154 CONG. REC. 4145, 4154, 110th Cong. 2d Sess.

PERMISSION TO RESOLVE INTO SECRET SESSION

Mr. [Steny] HOYER [of Maryland]. Madam Speaker, at the request of, and after discussion with, the distinguished Republican whip, I ask unanimous consent that at a time designated by the Speaker on the legislative day of March 13, 2008, the House resolve itself into secret session as though pursuant to clause 8 of rule XVII; secondly, debate in such secret session proceed without intervening motion for 1 hour equally divided and controlled by the majority leader and the minority whip; and, thirdly, at the conclusion of that debate, the secret session shall be dissolved.

The SPEAKER pro tempore.⁽⁷²⁾ Is there objection to the request of the gentleman from Maryland?

Mr. [Roy] BLUNT [of Missouri]. Reserving the right to object, Madam Speaker, I believe I heard the leader say clause 8.

Did you mean clause 9?

Mr. HOYER. Clause 9. Excuse me.

Mr. BLUNT. Clause 9. And this secret session would be convened at some time by the Speaker today when the room has been secured and would dissolve at the end of an hour of discussion? Is that what I understand?

Mr. HOYER. That's what the consent agreement is, pursuant to our discussions.

Mr. BLUNT. I withdraw my reservation, Madam Speaker . . .

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

There was no objection.

§ 6.13 Pursuant to a separate order contained in the resolution adopting the standing rules for the 112th Congress, the first ten bill numbers were reserved for the Speaker and the second ten bill numbers were reserved for the Minority Leader.

On January 5, 2011,⁽⁷³⁾ the House adopted a resolution establishing the standing rules for the 112th Congress with the following separate order:

RULES OF THE HOUSE

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

The Clerk read the resolution, as follows:

H. RES. 5

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

SEC. 2. CHANGES TO THE STANDING RULES . . .

SEC. 3. SEPARATE ORDERS . . .

(m) NUMBERING OF BILLS.—In the One Hundred Twelfth Congress, the first 10 numbers for bills (H.R. 1 through H.R. 10) shall be reserved for assignment by the Speaker and the

72. Ellen Tauscher (CA).

73. 157 CONG. REC. 80, 82, 83, 112th Cong. 1st Sess.

second 10 numbers for bills (H.R. 11 through H.R. 20) shall be reserved for assignment by the Minority Leader . . .

§ 6.14 The House adopted a special order of business resolution providing for the disposition of amendments between the Houses on a continuing resolution, and further providing that the offering of any privileged motions under clause 4 of rule XXII⁽⁷⁴⁾ related to a specific measure be restricted to the Majority Leader or a designee thereof.

On September 30, 2013,⁽⁷⁵⁾ the following resolution was adopted:

REPORT ON RESOLUTION RELATING TO CONSIDERATION OF H.J. RES. 59,
CONTINUING APPROPRIATIONS RESOLUTION, 2014

Mr. [Pete] SESSIONS [of California], from the Committee on Rules, submitted a privileged report (Rept. No. 113–240) on the resolution (H. Res. 368) relating to consideration of the joint resolution (H.J. Res. 59) making continuing appropriations for fiscal year 2014, and for other purposes, which was referred to the House Calendar and ordered to be printed.

RELATING TO CONSIDERATION OF H.J. RES. 59, CONTINUING
APPROPRIATIONS RESOLUTION, 2014

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 368 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 368

Resolved, That the House hereby (1) takes from the Speaker's table the joint resolution (H.J. Res. 59) making continuing appropriations for fiscal year 2014, and for other purposes, with the House amendment to the Senate amendment thereto, (2) insists on its amendment, and (3) requests a conference with the Senate thereon.

SEC. 2. Any motion pursuant to clause 4 of rule XXII relating to House Joint Resolution 59 may be offered only by the Majority Leader or his designee.

The SPEAKER pro tempore.⁽⁷⁶⁾ The gentleman from Texas is recognized for 1 hour. . . .

Mr. SESSIONS. Mr. Speaker, House Resolution 368 directs the House of Representatives to go to conference with the Senate to resolve differences between the two Chambers on how to appropriately fund the Federal Government. Like any other time the House goes to a conference, Mr. Speaker, the minority will have an opportunity to instruct conferees and have their ideas heard. . . .

74. *House Rules and Manual* § 1075 (2017).

75. 159 CONG. REC. H6031, H6033 [Daily Ed.] 113th Cong. 1st Sess. For another special order of business resolution with the same restriction, see 160 CONG. REC. H7133–34 [Daily Ed.], 113th Cong. 2d Sess. (July 31, 2014). For an instance in which the Majority Leader managed general debate on a bill in the Committee of the Whole pursuant to a special order of business, see 161 CONG. REC. H3511 [Daily Ed.], 114th Cong. 1st Sess. (May 21, 2015).

76. Ted Poe (TX).

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the 15-minute vote on adoption of the resolution will be followed by a 5-minute vote on approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 228, nays 199, not voting 4, as follows:

[Roll No. 505] . . .

So the resolution was agreed to.

The result of the vote was announced as above recorded. . . .

The Motion to Recommit

§ 6.15 Where no minority member of the reporting committee opposed to the bill sought recognition to offer a motion to recommit a conference report, the Speaker recognized the Minority Whip.⁽⁷⁷⁾

On May 28, 1992,⁽⁷⁸⁾ the following occurred:

MOTION TO RECOMMIT OFFERED BY MR. GINGRICH

Mr. [Newt] GINGRICH [of Georgia]. Madam Speaker, I offer a motion to recommit. The SPEAKER pro tempore.⁽⁷⁹⁾ Is the gentleman opposed to the conference report?

Mr. GINGRICH. I am opposed, Madam Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GINGRICH moves to recommit the conference report to accompany the bill, S. 1306, to the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill with instructions to the managers on the part of the House to agree to section 205(f) of the Senate bill (relating to a prohibition against using funds to provide individuals with hypodermic needles or syringes so that such individuals may use illegal drugs).

The Legislative Schedule

§ 6.16 The Majority Whip announced to the House a projected recess schedule for the first session of the Congress, agreed upon by the majority and minority leaderships.

⁷⁷. *Parliamentarian's Note*: Under well-established precedents, the Chair will look first to the Minority Leader to offer a motion to recommit, and then to minority members of the reporting committee who are opposed to the measure. In this instance, in the absence of the Minority Leader, the Minority Whip was recognized—not because of his status as part of the minority party leadership but simply because no minority member of the reporting committee sought recognition. *House Rules and Manual* § 788 (2017).

⁷⁸. 138 CONG. REC. 12846–47, 102d Cong. 2d Sess.

⁷⁹. Jolene Unsoeld (WA).

On January 11, 1973,⁽⁸⁰⁾ the following schedule for House business was announced by the Majority Whip:

HOUSE OF REPRESENTATIVES HOLIDAY RECESS SCHEDULE—1973

Mr. [John] McFALL [of California]. Mr. Speaker, the following is the holiday recess schedule for 1973:

Lincoln's Birthday, Monday, February 12: From conclusion of business on Friday, February 9 until noon, Monday, February 19.

Washington's Birthday, Monday, February 19: Reading of the Farewell Address only.

Easter, Sunday, April 22: From conclusion of business on Thursday, April 19 until noon, Monday, April 30.

Memorial Day, Monday, May 28: From conclusion of business Thursday, May 24 until noon, Tuesday, May 29.

Fourth of July, Wednesday, July 4: From conclusion of business Friday, June 29 until noon, Thursday, July 5.

August recess, from conclusion of business Friday, August 3 until noon Wednesday, September 5.

The House will be in session the first and third Fridays of every month if legislation is available prior to the August recess. The House will be in session every Friday after Labor Day.

Further recesses will be announced after Labor Day.

The Schedule Colloquy

§ 6.17 Although the colloquy on the legislative program is traditionally transacted by recognizing the Minority Leader or Minority Whip (who then yields to the Majority Leader to answer inquiries regarding the schedule), such colloquy may be conducted by recognizing the Majority Leader instead.

On December 17, 1998,⁽⁸¹⁾ the following occurred:

LEGISLATIVE PROGRAM

(Mr. ARMEY asked and was given permission to address the House for 1 minute.)

Mr. [Richard] ARMEY [of Texas]. Mr. Speaker, we will continue to work on this whole subject of the schedule for the remainder of the day and ensuing. I know Members on both sides of the aisle are very anxious about this schedule, and let me just suggest that we will need to perhaps put the House into recess for an hour.

We will continue with our meeting and our negotiations with the minority, and hopefully within the hour we can return with an announcement of what the schedule will be for the remainder of this day, this week, and that time ensuing.

80. 119 CONG. REC. 845, 93d Cong. 1st Sess. For another example of the Majority Leader inserting into the *Congressional Record* the legislative schedule, see 125 CONG. REC. 412, 96th Cong. 1st Sess. (Jan. 18, 1979).

81. 144 CONG. REC. 27797–98, 105th Cong. 2d Sess.

Mr. Speaker, I should encourage Members to stay close to their offices. We would like to, on behalf of all the Members, be able to give you definitive word within that hour time period, and at that point, of course, each and every Member can follow up as they and their family's needs dictate.

If I may ask the indulgence of the Chamber, that we take that recess, come back within the hour, and make that announcement.

Mr. [David] BONIOR [of Michigan]. Mr. Speaker, will the gentleman yield?

Mr. ARMEY. I yield to the gentleman from Michigan.

Mr. BONIOR. Mr. Speaker, I would say to the gentleman from Texas, the majority leader, let me just state from the perspective of many on this side of the aisle, and I assume some even on the gentleman's side of the aisle, that we would look down upon any activity in this body to go forward with impeachment while American men and women are engaged in armed conflict.

I hope in your deliberations, I hope in your deliberations, that you consider the message that that will send to people around the world, and more particularly, those who are fighting on behalf of this country.

Mr. ARMEY. I thank the gentleman from Michigan for his advice.

Tradition Regarding Debate Time

§ 6.18 In response to a parliamentary inquiry, the Chair advised that the Minority Leader (who had been yielded only three minutes) was allowed to speak for an extended time, in consonance with the tradition of the House to allow the highest-ranking leaders of each party such latitude in important debates.

On December 18, 1998,⁽⁸²⁾ the following occurred:

Mr. [John] CONYERS [of Michigan]. Mr. Speaker, it is our plan to recognize our leadership, and then our members of the Committee on the Judiciary, and then the rest of our distinguished membership on this side.

Mr. Speaker, I am pleased to yield three minutes to the distinguished gentleman from Missouri (Mr. GEPHARDT), our minority leader.

(Mr. GEPHARDT asked and was given permission to revise and extend his remarks.)

Mr. [Richard] GEPHARDT [of Missouri]. Mr. Speaker, this vote today is taking place on the wrong day, and we are doing it in the wrong way. I am disappointed and I am saddened by the actions of the majority, in both the timing and in the method that we are considering the most important act that the Constitution asks us to perform. The actions of the majority, in my view, show a lack of common sense and decency, and is not befitting of our beloved House. . . .

Let me talk about the way we are doing this and how that can be that first step. We have articles of impeachment on the floor of this House. This is the most radical act that is called for in our Constitution.

In this debate, we are being denied a vote as an alternative to impeachment for censure and condemnation of our President for the wrongful acts that we believe have been performed.

⁸². 144 CONG. REC. 27831, 27834, 105th Cong. 2d Sess.

We all say that this is a vote of conscience. You get to vote your vote of conscience, and I respect that right. All we are asking for is that we get to vote our conscience. And it is not just our conscience, it is the conscience of millions of Americans who share this view.

I know what you say. You say that the Constitution does not allow this vote of censure. Constitutional scholars in the hundreds, some of the most respected, conservative constitutional scholars have opined in the days before, in the committee and through articles and through speeches, that, in their view, the Constitution does allow this vote; that the Constitution is silent on this question of what else we can do; that the Constitution in no way prevents us from doing this.

What do I conclude? I can only conclude that you do not want our Members to have this choice. I can only conclude that some are afraid of this vote. I can only conclude that this may be about winning a vote, not about high-minded ideals. . . .

PARLIAMENTARY INQUIRY

Mr. [Frank] SENSENBRENNER [of Wisconsin]. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. [Ray] LAHOOD [of Illinois]). The gentleman will state his parliamentary inquiry.

Mr. SENSENBRENNER. How much time was charged to the gentleman from Michigan (Mr. CONYERS) for the speech of the gentleman from Missouri (Mr. GEPHARDT)?

The SPEAKER pro tempore. The Chair will say this, because other Members have inquired about this. The Chair has in the past had a standing policy during important debates to allow for the highest-ranking party-elected Members of the House, the Speaker, the majority leader, the minority leader, and the minority whip, additional time during the time they are making important statements.

The answer to the gentleman's question is that while the gentleman from Missouri (Mr. GEPHARDT) took 12 minutes to make his remarks, the Chair extended the time to him as a courtesy, as has traditionally been done on both sides of the aisle.

§ 6.19 In response to a parliamentary inquiry, the Chair advised that the Majority Leader (who had been recognized for one minute) was allowed to speak for an extended time, in consonance with the tradition of the House to allow the highest-ranking leaders of each party such latitude in debate.

On May 18, 2004,⁽⁸³⁾ the following occurred:

TAXATION'S EVIL TWIN

(Mr. DELAY asked and was given permission to address the House for 1 minute.)

Mr. DELAY. . . .

PARLIAMENTARY INQUIRY

Mr. [James] McDERMOTT [of Washington]. Mr. Speaker, I have a parliamentary inquiry.

⁸³. 150 CONG. REC. 9944, 9945, 108th Cong. 2d Sess.

The SPEAKER pro tempore.⁽⁸⁴⁾ The gentleman will state it.

Mr. McDERMOTT. Are we in the 1-minute section of the calendar?

The SPEAKER pro tempore. The Chair is recognizing Members for 1-minute speeches.

Mr. McDERMOTT. And the Chair is keeping time?

The SPEAKER pro tempore. The Chair accords traditional treatment to the party leaders.

§ 6.20 In response to a parliamentary inquiry regarding the tradition of the House to allow the Speaker and the party floor leaders to address the House at their full length, the Chair declined to place a hypothetical limit on such “unclocked” time, and declined to announce how much actual time had been consumed during such recognition.

On June 26, 2009,⁽⁸⁵⁾ the following occurred:

Mr. [Michael] FORBES [of New York]. Madam Speaker, I yield the balance of my time to the distinguished minority leader, the gentleman from Ohio (Mr. BOEHNER).

The SPEAKER pro tempore.⁽⁸⁶⁾ The gentleman from Ohio is recognized for 2 minutes.

Mr. [John] BOEHNER [of Ohio]. Let me thank my colleague for yielding. . . .

PARLIAMENTARY INQUIRIES

Mr. [Henry] WAXMAN [of California]. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will suspend.

Does the gentleman yield for a parliamentary inquiry?

Mr. BOEHNER. I would be happy to yield to the gentleman.

Mr. WAXMAN. The Republican leader was yielded the balance of the time, which I think amounted to around 4 or 5 minutes. He has talked for around 20. I know we have this “magic” minute that gives leaders a lot of extra time to speak, but I’m just wondering if there is some limit under the rules on the time that a leader may take, even though the time yielded was not 20 or 30 minutes.

The SPEAKER pro tempore. It is the custom of the House to hear the leaders’ remarks.

Mr. WAXMAN. Further parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman yield for a parliamentary inquiry?

Mr. BOEHNER. I will be happy to yield to the gentleman.

Mr. WAXMAN. I know it is the custom of the House to give a little extra latitude. Is there any outside limit to the amount of time a leader might take? And do we have historical records that might be broken tonight? Or is this an attempt to try to get some people to leave on a close vote?

The SPEAKER pro tempore. It is the custom of the House to hear to the leaders’ remarks.

84. Rob Bishop (UT).

85. 155 CONG. REC. 16732, 16734, 16738, 111th Cong. 1st Sess.

86. Ellen Tauscher (CA).

Mr. BOEHNER. Reclaiming my time, the gentleman has had his 30 years to put this bill together, and the House is going to spend a whopping 5 hours debating the most profound piece of legislation to come to this floor in 100 years. And the chairman has the audacity to drop a 300-plus-page amendment in the hopper at 3:09 a.m. this morning. And so I would ask my colleagues, don't you think the American people expect us to understand what is in this bill before we vote on it? . . .

Mr. WAXMAN. Madam Speaker, the minority leader was yielded 2½ minutes. Could you tell us how much time he consumed?

The SPEAKER pro tempore. The gentleman used a customary amount of time.

§ 6.21 In response to a parliamentary inquiry, the Chair advised that: (1) allowing the highest-ranking party leaders such time as they might consume with their remarks in debate is a long custom and not a positive rule; (2) the time thus consumed is unrelated to the nominal time yielded; and (3) the nominal time yielded is the amount deducted from the time of the yielding Member.

On June 24, 2010,⁽⁸⁷⁾ the following occurred:

Mr. [William] PASCRELL [of New Jersey]. Mr. Speaker, I yield 10 seconds to the majority leader, Mr. HOYER.

Mr. [Steny] HOYER [of Maryland]. I thank my friend for yielding, and I rise in strong support of this piece of legislation. . . .

PARLIAMENTARY INQUIRIES

Mr. DANIEL E. LUNGREN of California. Parliamentary inquiry, Mr. Chairman.

The Acting CHAIR.⁽⁸⁸⁾ The gentleman from California will state his parliamentary inquiry.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, in the years I've been here in the House, I know there is allowed under the rules a tradition that the leaders of either the majority or minority or the Speaker is granted 1 minute speaking time by their side, taken out of their time, and yet, shall we say, a judicious minute is allowed.

It was my understanding that under the rules and, as interpreted, the tradition that has developed, that it was predicated on a dedication of 1 minute out of the time of the side. And yet, as I understand it, the request has been made for just 10 seconds. My parliamentary inquiry is, is that allowed under the rules? And if it is, when did the rules change?

The Acting CHAIR. The Chair will advise that it is a matter of custom, not rules.

Mr. DANIEL E. LUNGREN of California. Well, then I would ask, if it's a matter of custom, when did the custom change from 1 minute to 10 seconds?

The Acting CHAIR. The Chair is honoring the custom of the various leaders speaking longer than the time allocated, and that is what happened today.

Mr. DANIEL E. LUNGREN of California. I understand that. My question is the time that's taken out of the side. I granted 1 minute to the Republican leader earlier in the

⁸⁷. 156 CONG. REC. 11703, 11704, 111th Cong. 2d Sess.

⁸⁸. José Serrano (NY).

debate because I was told that that is both under the rules allowed and that is the tradition.

I know I've only been a Member of this House now for 16 years, but I have never seen this in my time, and I am just wondering whether this is the new rule or the new tradition.

And further parliamentary inquiry, whether I would have been recognized to grant 10 seconds to the distinguished leader of the Republican side and therefore had only 10 seconds taken out of my time.

The Acting CHAIR. The Chair will advise the gentleman that the nominal time granted is unrelated to the time that the leaders might speak, and here the leader spoke for the longer time that he wished to speak.

Mr. DANIEL E. LUNGREN of California. I appreciate that. I think the Chair misunderstands my inquiry. My inquiry isn't about the amount of time graciously granted to either leader or the Speaker, but rather the time subtracted from that that appears in the rule given to the side granting the time to the leader.

The Acting CHAIR. The nominal amount that a Member chooses to yield to the leader to speak for the time that he or she wishes is not a matter of regulation.

Mr. DANIEL E. LUNGREN of California. Is that amount of time deducted from the side which grants the speaker the time?

The Acting CHAIR. Yes, the nominal amount of time is deducted.

Mr. DANIEL E. LUNGREN of California. So if I would say 5 seconds, it would be 5 seconds rather than if I had said 1 minute; is that correct?

The Acting CHAIR. The gentleman is correct. That is a matter of technique or choice.

Mr. DANIEL E. LUNGREN of California. I see. I shall be much more judicious in my grant of time in the future now that I have had this information conveyed. Thank you.

Consultation with Floor Leaders

§ 6.22 The Speaker's announced policy of conferring recognition upon Members to call up measures by unanimous consent, when assured that the majority and minority floor and committee leadership has no objection, was interpreted to extend only to the Minority Leader and not to the entire hierarchy of minority floor leadership (in this case the Minority Whip) when the Minority Leader had been consulted.

On April 25, 1985,⁽⁸⁹⁾ the following occurred:

REQUEST FOR CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 130,
EXPRESSING SENSE OF CONGRESS WITH RESPECT TO PRESIDENT'S
VISIT TO FEDERAL REPUBLIC OF GERMANY

Mr. [Dante] FASCELL [of Florida]. Mr. Speaker, I ask unanimous consent for the immediate consideration in the House of a concurrent resolution (H. Con. Res. 130) expressing the sense of the Congress with respect to the President's visit to the Federal Republic of Germany in May 1985, which I send to the desk.

⁸⁹. 131 CONG. REC. 9415, 99th Cong. 1st Sess.

If consent is granted, I would yield 15 minutes to the gentleman from Michigan [Mr. BROOMFIELD] and reserve 15 minutes to myself.

The SPEAKER pro tempore.⁽⁹⁰⁾ The Clerk will report the title of the concurrent resolution.

The Clerk read the title of the concurrent resolution.

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

Mr. [Trent] LOTT [of Mississippi]. Reserving the right to object, Mr. Speaker, I understood that the policy that had been announced by the Speaker was that the House was directed that it was not in order to bring up legislation by unanimous consent unless that request had been cleared with the leadership on both sides, to wit: it also says that should include the majority and minority floor leadership, and committee and subcommittee chairmen and ranking minority members.

I was not notified. I am under the impression the gentleman from Texas, the majority floor leader, was not notified, and, therefore, I presume that the Speaker, the Chair, in this case, would not recognize this unanimous consent request.

The SPEAKER pro tempore. Would the gentleman from Florida advise the Chair what clearance he has?

Mr. FASCELL. If the gentleman would yield—

Mr. LOTT. Further reserving the right to object, I will be glad to yield.

Mr. FASCELL. The matter was cleared on our side.

Mr. LOTT. Was it cleared with the majority leader on your side, the majority floor leader?

Mr. FASCELL. And it was cleared on your side, with your leader, and ranking member of the full committee. Well, I am not sure who the leader is over there. And also with the chairman of the subcommittee.

Mr. LOTT. Further reserving the right to object, now, Mr. Chairman, let's don't start that kind of stuff.

Mr. FASCELL. I am trying to give the gentleman, as I gave my colleagues on the committee and the leadership on the minority side, absolute assurance, because the Speaker would not take this matter up until I had given him that assurance. I got that assurance on your side. After getting that done, you came on the floor and objected. I respect your position, and I assume you are part of the leadership and you have a right to object if you want to. But do not question my integrity when I say it was cleared.

Mr. LOTT. Mr. Speaker, further reserving the right to object, I am going to respond to that. Further reserving the right to object, it says, on page 476, House Rules and Manual:

The Chair has established a policy of conferring recognition of all Members to permit consideration of bills and resolutions by unanimous consent only when assured that the majority and minority floor leadership * * *.

I am under the impression that the majority leader was not notified.

Is the Chair prepared to rule on whether or not this is going to be recognized for a unanimous-consent request, based on that?

Mr. FASCELL. Regular order, Mr. Speaker.

It seems to me that the gentleman is on his feet either to object or not object, and I wish he would go on and do something.

⁹⁰. Tommy Robinson (AR).

Mr. LOTT. Mr. Speaker, as I understand it, it is not in order, based on this rule, that I understand is in place, and I am inquiring if the Chair is going to rule that way itself. It would not be necessary for anybody else to object.

The SPEAKER pro tempore. The Chair feels there is sufficient assurance of clearance. Is there objection to the request of the gentleman from Florida?

Mr. LOTT. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

§ 6.23 In response to a parliamentary inquiry, the Chair explained the announced policy of the Speaker to confer recognition on Members seeking unanimous consent to call up measures only when assured that the floor and committee leadership have no objection.

On September 9, 1988,⁽⁹¹⁾ parliamentary inquiries were made regarding recognition to offer unanimous-consent requests for the consideration of legislation:

Mr. [Jerry] LEWIS of California. Mr. Speaker, it was my intention, when all the Members were present in the body and the Speaker was before us, to make an inquiry of the Speaker and request that he ask unanimous consent to change the rules of the House to make it standard operating procedure that we have the Pledge of Allegiance following the prayer before each session. The Speaker at the time of applause left the Chamber, so that is not feasible.

It is my understanding, Mr. Speaker, that in order to discharge a bill before the Rules Committee—and there is such a bill, H. Res. 501, introduced by the gentleman from New York [Mr. SOLOMON], which is in print—in order to discharge that bill so it could come to the floor where we could debate it here and have a vote yes or no on the Pledge of Allegiance question, I would have to have previously gotten the approval of the majority leader and the majority whip on that, as well as the approval of the minority leader and the minority whip.

Would the Chair clarify precisely for me what kind of exercise I must go through to get that approval?

The SPEAKER pro tempore.⁽⁹²⁾ In answer to the gentleman's inquiry, the Chair would state that the Speaker's announcement is in accordance with the rules of the House, and that that procedure will be followed next Tuesday.

The Chair will further state to the gentleman from California, that to make any unanimous-consent request now would require the approval of both sides, to bring up the resolution to which he alluded.

Mr. LEWIS of California. Mr. Speaker, would the Chair clarify this for me?

The SPEAKER pro tempore. Is the gentleman propounding a parliamentary inquiry?

Mr. LEWIS of California. Yes, Mr. Speaker, a further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

PARLIAMENTARY INQUIRIES

Mr. LEWIS of California. Mr. Speaker, is the Speaker's ruling essentially this, that I would have to get the approval of the majority leader and the majority whip—I already

91. 134 CONG. REC. 23312, 100th Cong. 2d Sess.

92. Kenneth Gray (IL).

have the approval of the minority leader the minority whip—in order to seek recognition for that purpose? Is that correct?

The SPEAKER pro tempore. The Chair would state that the Speaker's announced guidelines on making a unanimous-consent request to consider an unreported measure, regardless of what committee is involved, require that it be cleared on both sides of the aisle, floor and committee leadership, including the chairman. In this case it would be the chairman of the Rules Committee. That is why the Chair was stating to the gentleman, in response to his inquiry, that all of the Speaker's guidelines must be followed by contacting both the minority leader and the majority leader and the chairman and ranking minority member of the Rules Committee. The Chair could then recognize a Member for that purpose once it had been cleared.

Mr. LEWIS of California. Mr. Speaker, I appreciate the latter comment. The Chair has indicated that once I have gotten the permission essentially or had gotten the approval of the Speaker, the chairman of the Rules Committee, the majority leader, and the majority whip to request withdrawal of House Resolution 501, which would bring this issue of a Pledge of Allegiance to us, then unanimous consent could be requested for that item to come to the floor and to be debated and voted upon?

The SPEAKER pro tempore. The gentleman has stated the situation accurately. It would be handled in the ordinary fashion that we handle resolutions here on the floor that have been cleared on both sides with the floor leadership and the leadership of the committee. The gentleman states it correctly.

Mr. LEWIS of California. Mr. Speaker, I might mention to the Members of the House that the Speaker has helped us a lot by, first of all, indicating that he was going to call upon a Member to lead the Pledge of Allegiance on the first legislative day of next week, and then upon myself for the second legislative day. I presume that means Tuesday and Wednesday of next week.

Beyond that point, let it be said that it is my intention to seek their approval for a request to withdraw House Resolution 501 from the Rules Committee so that we can bring this issue to the floor and have a full-scale debate on the question of a Pledge of Allegiance and a vote up or down on the measure.

The SPEAKER pro tempore. The gentleman knows that this body has that right.

§ 7. Party Whips

Each party organization in the House elects an official known as the “whip”—the Majority Whip (for the majority party) and the Minority Whip (for the minority party). Like the floor leaders, these officials are not officers of the House but are party officials responsible to their respective caucuses. Thus, the whips are not elected by the House, but their election (by their party organizations) is customarily announced to the membership on the floor.⁽¹⁾ A vacancy in the office of whip is filled by the respective caucus and the selection typically announced to the House.⁽²⁾ The whip organization of

1. See, e.g., 163 CONG. REC. H6 [Daily Ed.], 115th Cong. 1st Sess. (Jan. 3, 2017). See also Deschler's Precedents Ch. 3 §§ 3.7, 6.6, 23.1, and 23.3.

2. See §§ 7.3, 7.4, *infra*.