

§ 3. Hall of the House

Under House Rule I clause 3, the Speaker has “general control . . . of the Hall of the House.”⁽¹⁴⁾ A more specific provision dealing with the use of the House Chamber, however, is Rule XXXI:

The Hall of the House shall be used only for the legislative business of the House and for the caucus meetings of its Members, except upon occasions where the House by resolution agrees to take a part in any ceremonies to be observed therein; and the Speaker shall not entertain a motion for the suspension of this Rule.⁽¹⁵⁾

The House has been very reluctant to permit the Chamber to be used for other than legislative purposes. An occasion on which the House permitted the Chairman of the Isthmian Canal Commission to address the House, relative to the construction of the Panama Canal, was characterized as “[a]n exceptional instance in which the Hall of the House was used for other than legislative business.” 8 Cannon’s Precedents § 3632.

Members may not entertain guests in the Hall,⁽¹⁶⁾ but caucus meetings of Members are some-

14. *House Rules and Manual* §623 (1973).

15. *House Rules and Manual* §918 (1973).

16. § 3.2, *infra*.

times held in the Chamber, as Rule XXXI specifically authorizes them.⁽¹⁷⁾ Occasionally the House votes to participate in ceremonies to be held in the Hall.⁽¹⁸⁾

It is in violation of the common law of the House for a visitor, without authorization, to photograph the House Chamber.⁽¹⁹⁾ However, the House, by resolution, sometimes permits special groups, such as historical societies, to photograph the House in session,⁽²⁰⁾ and the Speaker usually permits a photograph of the House in session to be taken on the first day of each Congress.⁽¹⁾

Use of House Chamber

§ 3.1 The House Chamber is occasionally used for certain meetings of Members.

On Jan. 10, 1947,⁽²⁾ an announcement was made in the House concerning a meeting to be

17. § 3.1, *infra*.

18. See Ch. 36, *infra*.

19. See § 3.5, *infra*.

It is not necessary, however, to clear the gallery when one visitor is violating the rules by taking pictures. The Speaker may order the offending party to leave the gallery. See § 5.7, *infra*.

20. See § 3.5, *infra*.

1. See § 3.5, *infra*.

2. 93 CONG. REC. 255, 80th Cong. 1st Sess.

held in the House Chamber for the veterans of all wars who were Members of the House at that time. The stated purpose of the meeting was the reorganization of a veterans' group, and this meeting, as well as all future ones, was to be nonpolitical, social, and educational in character.

§ 3.2 Permission to use the Hall of the House for purposes of entertainment will ordinarily be refused.

On Feb. 14, 1955,⁽³⁾ Speaker Sam Rayburn, of Texas, after reading the text of Rule XXXI, made the following remarks concerning the use of the Hall of the House:

A great many Members have asked the Parliamentarian and the present occupant of the chair about the use of the Hall of the House of Representatives. At any time in the future when any Member desires to entertain a group except Members of the House of Representatives it will be held that the caucus room is open for that purpose, but not the Hall of the House of Representatives.

On June 18, 1934,⁽⁴⁾ the House adopted a resolution forbidding certain entertainment, which was to be broadcast over radio, to be

3. 101 CONG. REC. 1512, 84th Cong. 1st Sess.

4. 78 CONG. REC. 12567, 73d Cong. 2d Sess.

held in the House Chamber immediately after the adjournment of Congress.

§ 3.3 The House controls the use of its Chamber even after it adjourns for a session.

On June 18, 1934,⁽⁵⁾ a resolution was introduced to prevent the use of the House Chamber after the adjournment of Congress for certain entertainment which was to be broadcast over radio. A Member then raised the point of order that the resolution was not privileged, because it was contemplated that the entertainment would be held after the adjournment of the House. The Speaker⁽⁶⁾ rendered the following ruling on the point of order:

The object of the resolution is to reach something which might occur after the adjournment of the House, but the Chair thinks it is a close question. The House controls the use of its own Chamber even after it adjourns; therefore the Chair prefers to submit the question to the House.

The previous question was then ordered, and the resolution was agreed to.

§ 3.4 On one occasion the House authorized a special group to use the House Chamber when the House was not in session.

5. *Id.*

6. Henry T. Rainey (Ill.).

On Aug. 1, 1953,⁽⁷⁾ the House by unanimous consent considered and adopted the following resolution:

Resolved, That the consent of the House is hereby granted for the use by the Interparliamentary Union of the Hall of the House of Representatives, and such committee rooms in the Capitol and the House Office Buildings as the Speaker may direct, for its session in the year 1953, during the month of October: *Provided, however*, That this consent shall not be binding if the Congress shall be in session when the said Interparliamentary Union shall convene: *And provided further*, That such use shall be subject to the control and management of the officers of the House.

Photographing the House Chamber

§ 3.5 Visitors may not, without authorization, photograph the House Chamber.

Parliamentarian's Note: Under the practice of the House, permission must be obtained before photographs may be taken inside the House Chamber. Permission may take the form of a House resolution similar to the one which permitted the United States Capitol Historical Society to photograph the House in session.⁽⁸⁾

7. 99 CONG. REC. 10917, 83d Cong. 1st Sess.

8. See 110 CONG. REC. 3224, 88th Cong. 2d Sess., Feb. 20, 1964.

The Speaker traditionally permits certain photographers to take photographs at the opening session of each new Congress, provided that they do so in accordance with carefully drawn guidelines. Occasionally members of the news media have violated these guidelines. At the opening session of the 91st Congress, members of the news media violated the restrictions by taking pictures during the period when the kleig lights were turned out. Speaker McCormack called this matter to the attention of the news media galleries and requested a report from each on the action taken by them with respect to the violations of the regulations as well as the provisions they were making to prevent such violations in the future.⁽⁹⁾

On Jan. 14, 1946, photographers violated the guidelines by taking a picture of the House in session before the initial quorum call. The photograph, showing approximately 60 Members present in the Chamber, was published in newspapers throughout the country, along with a caption berating Congress for not attending to duties at the beginning of the ses-

9. See the statement by Speaker John W. McCormack (Mass.) at 115 CONG. REC. 145, 91st Cong. 1st Sess., Jan. 6, 1969.

sion. See the statement by Speaker pro tempore John W. McCormack, of Massachusetts, at 92 CONG. REC. 20, 79th Cong. 2d Sess., Jan. 14, 1946.

§ 4. Admission to House Floor

House Rule XXXII clause 1⁽¹⁰⁾ enumerates those persons entitled to be admitted to the floor or rooms leading thereto,⁽¹¹⁾ while the House is in session:

1. The persons hereinafter named, and none other, shall be admitted to the Hall of the House or rooms leading thereto, viz: The President and Vice President of the United States and their private secretaries, judges of the Supreme Court, Members of Congress and Members-elect, contestants in election cases during the pendency of their cases in the House, the Secretary and Sergeant-at-Arms of the Senate, heads of departments, foreign ministers, governors of States, the Architect of the Capitol, the Librarian of Congress and his assistant in charge of the Law Library, the Resident Commissioner to the United States from Puerto Rico, each Delegate to the House, such persons as have, by name, received the thanks of Congress, ex-Members of the House of Representatives who are not interested in any claim or directly in any bill pending before Congress, elect-

10. *House Rules and Manual* §919 (1973).

11. See § 4.1, *infra*.

ed officers and elected minority employees of the House (other than Members), the Parliamentarian and former Parliamentarians of the House, former elected officers and former elected minority employees of the House (other than ex-Members) who are not interested in any claim or directly in any bill pending before Congress, and clerks of committees when business from their committee is under consideration; and it shall not be in order for the Speaker to entertain a request for the suspension of this rule or to present from the chair the request of any Member for unanimous consent.

Rule XXXII clause 2 sets forth the conditions under which persons may be admitted to the floor when the House is not in session:

There shall be excluded at all times from the Hall of the House of Representatives and the cloakrooms all persons not entitled to the privilege of the floor during the session, except that until fifteen minutes of the hour of the meeting of the House persons employed in its service, accredited members of the press entitled to admission to the press gallery, and other persons on request of Members, by card or in writing, may be admitted.

The provision that prohibits the Speaker⁽¹²⁾ from entertaining a request for the suspension of Rule XXXII has been rigidly enforced during regular sessions.⁽¹³⁾

12. This provision in Rule XXXII clause 1 is equally applicable to the Chairman of the Committee of the Whole. 5 Hinds' Precedents § 7285.

13. See § 4.2, *infra*; 5 Hinds' Precedents § 7284.