the Whole in the following language: "On motion of Mr. Hébert by unanimous consent, the Committee of the Whole House on the state of the Union was discharged from further consideration of the bill H.R. 5256. . . ."

Corrections of the Congressional Record

§ 10.10 When remarks and extraneous matter inserted in the Congressional Record by a Member are, by unanimous consent, ordered expunged from the permanent edition thereof, the Journal records such fact.

The Journal of June 5, 1962,[16] records the fact that at the request of a Member his remarks and certain extraneous material appearing in the *Congressional Record* for a particular date were by unanimous consent ordered expunged from the permanent Record.

§ 11. Reading the Journal

Prior to the 92d Congress, during which the present form of the applicable House rule[17] was adopted, the reading of the Journal of each legislative day was mandatory under the rule as then in force, and could be dispensed with only by unanimous consent[18] or by suspension of the rules.[19]

Under the modern practice, however, the Speaker, after examining the Journal, is authorized on the appearance of a quorum to announce his approval thereof, in which case the Journal is to be considered as read, unless its reading is ordered either by the Speaker himself or by the House. In the latter regard, it is in order to offer one motion that the Journal be read, which motion is of the highest privilege and must be determined without debate.[20] In either event, however, the Journal may not be ordered read, or approved, in the absence of a quorum,[1] and when a point of order as to the absence of a quorum is made prior to the reading of the Journal, the presence of a quorum is therefore ascertained before the reading is begun.[2]

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16. H. JOUR. 372, 87th Cong. 2d Sess.

17. Rule I clause 1, *House Rules and Manual* § 621 (1973), the present form of which is derived from § 127 of the Legislative Reorganization Act of 1970 (84 Stat. 1140).

18. 6 Cannon's Precedents § 625.

19. 4 Hinds' Precedents §§ 2747–2750.

20. Rule I clause 1, *House Rules and Manual* § 621 (1973).

1. 4 Hinds Precedents §§ 2732, 2733; 6 Cannon's Precedents § 629.

2. See § 12.6, infra.

The Journal, if and when read, is ordinarily read in accordance with the practices and customs of the House,[3] as prepared by the Clerk.[4] Once begun, the reading thereof must be in full if so demanded by a Member.[5] However, when a demand that it be read in full is made after a portion thereof has been read, the Clerk begins detailed reading at the point where the demand is made and does not return to that portion which has been passed.[6] Of course, a reading of the Journal may be terminated by unanimous consent.[7]

Reading Practices and Customs

§ 11.1 The Journal is read in accordance with the practices and customs of the House of Representatives.

On Sept. 13, 1965,[8] a Member, having been recognized for the purpose of submitting a parliamentary inquiry, interrupted the reading of the Journal for the previous legislative day to ask whether the reading of the Journal in full would be concluded prior to the reading of the special orders and the referral of bills and rules on that day.

The Speaker[9] stated that the Journal was being read in accordance with the practices and customs of the House of Representatives.

§ 11.2 When the House reconvened after an adjournment to a day certain, the Journal of the last day's proceedings was read.

When the House, pursuant to a Senate concurrent resolution,[10] met on Aug. 15, 1960,[11] after an adjournment of approximately six weeks, the Journal of the last day of meeting was read and approved.

Reading of Journal in Full

§ 11.3 The Journal had to be read in full when demanded by a Member.

On May 4, 1960,[12] before the Clerk had commenced the reading of the Journal of the previous

3. See § 11.1, infra.
4. See § 11.4, infra.
5. See § 11.3, infra.
6. See § 11.9, infra.
7. See § 11.13, infra.
8. 111 CONG. REC. 23599, 89th Cong. 1st Sess.
9. John W. McCormack (Mass.).
10. S. Con. Res. 112, 86th Cong. 2d Sess.
11. 106 CONG. REC. 16457, 86th Cong. 2d Sess.
12. 106 CONG. REC. 9413, 86th Cong. 2d Sess.

day's proceedings, a Member demanded that the Journal be read in full. The Speaker[13] ordered the Clerk to read the Journal in full.

Likewise, on Aug. 27, 1962,[14] before the Clerk could proceed with the reading of the Journal following a call of the House, a Member rose to demand that the Journal be read in full. The Speaker[15] directed the Clerk to read the Journal in full.

§ 11.4 Where demand was made that the Journal be read in full, the Clerk read the Journal in accordance with the way it was prepared.

On Sept. 13, 1965,[16] the reading of the Journal for the previous legislative day was interrupted by a Member who, asserting that the Clerk had failed to read certain material, rose to demand that the Journal be read in full. The Speaker[17] advised that the Clerk was "reading the Journal in accordance with its preparation."

§ 11.5 When the Journal is read in full the names of those Members noted therein as responding on roll calls may also be read.

On June 1, 1934,[18] a Member propounding a parliamentary inquiry interrupted the reading of the Journal in full to ask whether, in the 35 or 36 years of the Speaker's[19] connection with the Congress he had ever known of any requirement under the rule for reading every name of every roll call that occurred and every single word of every proceeding in the Journal. The Speaker replied that while he did not know of such comprehensive reading, it could be done and that the [former] rule so provided.

§ 11.6 A message from the President of the United States, entered in the Journal, must be read in its entirety when the Journal is read in full.

On May 4, 1960,[20] after the Speaker,[1] in response to the demand of a Member, had directed the Clerk to read the Journal of the last day's proceedings in full, the same Member interrupted the

13. Sam Rayburn (Tex.).
14. 108 CONG. REC. 17653, 87th Cong. 2d Sess.
15. John W. McCormack (Mass.).
16. 111 CONG. REC. 23599, 89th Cong. 1st Sess.
17. John W. McCormack (Mass.).
18. 78 CONG. REC. 10226, 73d Cong. 2d Sess.
19. Henry T. Rainey (Ill.).
20. 106 CONG. REC. 9413, 86th Cong. 2d Sess.
1. Sam Rayburn (Tex.).

reading of the Journal with a parliamentary inquiry, asking whether the message from the President of the United States should be read as part of the Journal. The Speaker replied in the affirmative.

§ 11.7 The names of Members responding to roll calls for the yea and nay vote which had been entered in the Journal were read when the Journal was read in full.

On Apr. 9, 1964,[2] after a Member had earlier demanded that the Journal be read in full, the reading of the Journal was interrupted by another Member who insisted, as a point of order, that the names of those voting on a certain roll call be read. The Speaker,[3] stating it to be his understanding that that was the next item in the Journal to be read, ordered the Clerk to continue to read the proceedings of the preceding session.

§ 11.8 The reading of the Journal was interrupted by a Member contending that the names of those who failed to answer on a roll call were not being read in full.

On Sept. 13, 1965,[4] following a demand that the Journal be read in full, the Clerk, at the direction of the Speaker pro tempore[5] had continued the reading of the Journal when it was interrupted by a Member who contended that the names of those who failed to answer on a particular roll call were not being read in full. The Speaker pro tempore stated that the Clerk took up exactly where he left off. The Clerk then continued to read the Journal.

§ 11.9 Where a demand that the Journal be read in full was made after a portion thereof had been read, the Clerk began a detailed reading at the point where the demand was made and did not return to that portion which had been passed.

On Sept. 13, 1965,[6] a Member interrupted the reading of the Journal for Sept. 9, 1965, with a parliamentary inquiry to ask whether the reading of the Journal in full as previously demanded by him included the reading of the roll call immediately preceding that which was then being read. The Speaker pro tempore[7] replied that that part of the Journal had been passed before the de-

2. 110 CONG. REC. 7355, 88th Cong. 2d Sess.

3. John W. McCormack (Mass.).

4. 111 CONG. REC. 23598, 89th Cong. 1st Sess.

5. Carl Albert (Okla.).

6. 111 CONG. REC. 23598, 89th Cong. 1st Sess.

7. Carl Albert (Okla.).

mand had been made for the reading of the Journal in full, and that the question was therefore moot.

Following a further parliamentary inquiry and a renewed demand by the same Member that the Journal be read in full, the reading of the Journal was resumed at the direction of the Speaker pro tempore and continued until again interrupted by another Member, who submitted that the Clerk was not reading in full the names of those who failed to answer the roll call being read at the time of the previous interruption. The Speaker pro tempore advised that the Clerk took up at the point of interruption.

The Clerk then continued the reading of the Journal.

§ 11.10 It is presumed that the Journal, when read, is always read in full.

On Sept. 11, 1968,[8] in response to a Member's demand that the Journal of the preceding session be read in full, the Speaker[9] said that there is a presumption that the Journal is always read in full.

Similarly, on Oct. 8, 1968,[10] in reply to a demand that the Journal be read in full, the Speaker advised that the Chair assumes that the Journal is always read in full.

Dispensing With Further Reading of the Journal

§ 11.11 Under the former rule, a motion that the further reading of the Journal be dispensed with was not in order because such action required unanimous consent.

On Feb. 22, 1950,[11] in response to a Member who interrupted the reading of the Journal to move that the further reading thereof be dispensed with, the Speaker[12] said that could be done only by unanimous consent.

Similarly, on May 4, 1960,[13] the Speaker[14] ruled that a motion to dispense with the further reading of the Journal was not in order, noting that the reading of the Journal could be dispensed with only by unanimous consent.

Again, on Sept. 19, 1962,[15] in response to a Member who moved that the further reading of the

8. 114 CONG. REC. 26454, 90th Cong. 2d Sess.
9. John W. McCormack (Mass.).
10. 114 CONG. REC. 30090, 90th Cong. 2d Sess.
11. 96 CONG. REC. 2152, 81st Cong. 2d Sess.
12. Sam Rayburn (Tex.).
13. 106 CONG. REC. 9413, 86th Cong. 2d Sess.
14. Sam Rayburn (Tex.).
15. 108 CONG. REC. 19941, 87th Cong. 2d Sess.

Journal be dispensed with after objection was heard to his request that it be dispensed with by unanimous consent, the Speaker[16] stated that the motion was not in order.

§ 11.12 Under the former rule, the House, by unanimous consent, could dispense with the further reading of the Journal and consider it as read and approved.

On Aug. 8, 1964,[17] after a Member had interrupted the reading of the Journal to withdraw his demand that it be read in full, the Speaker[18] announced that without objection, the Journal of the proceedings of the previous day would be considered as read and approved. There was no objection.

Likewise on Sept. 11, 1968,[19] after the Speaker[20] had directed the Clerk to continue with the reading of the Journal following an interruption thereof initiated by a call of the House, a Member requested that the further reading of the Journal be dispensed with by unanimous consent. There was no objection.

§ 12. —Propriety of Business Before and During Reading

The reading and approval of the Journal rank second in the daily order of business prescribed by the rules of the House, coming immediately after the prayer by the Chaplain.[1] It is therefore well established that the transaction of business is not in order before the Journal is approved.[2] However, the simple motion to adjourn[3] and the administration of the oath to a Member-elect[4] are both in order prior to the reading of the Journal, and since the Journal may neither be ordered read nor approved in the absence of a quorum,[5] a point of no quorum may also be properly made before the Journal is read.[6]

Once begun, the reading of the Journal may not be interrupted even by business as highly privi-

16. John W. McCormack (Mass.).

17. 110 CONG. REC. 18630, 88th Cong. 2d Sess.

18. John W. McCormack (Mass.).

19. 114 CONG. REC. 26456, 90th Cong. 2d Sess.

20. John W. McCormack (Mass.).

1. Rule XXIV clause 1, *House Rules and Manual* § 878 (1973). As to approval of the Journal, see § 14, infra.

2. See § 12.1, infra.

3. See § 12.3, infra.

4. See § 12.5, infra.

5. See § 11, supra.

6. See § 12.6, infra.