could read them with the consent of the Committee.

§ 83. Certain Readings Prohibited

Rulings under the former version of Rule XXX,[7] which required a vote by the House on the reading of papers where objection was made, indicated that the rule did not apply to papers containing language subject to a point of order in the House. For example, a Member could not refer to Senators or to Senate proceedings and therefore could not read letters from Senators or reports of Senate proceedings.[8] Some rulings based on former Rule XXX are still valid under other lines of precedents. Thus a Member may not read documents impugning the integrity of other Members,[9] or reports of House committee executive proceedings not formally reported to the House.[10]

Papers containing prohibited references or disorderly language are not challenged by an objection but by a point of order or demand that they be taken down. The Speaker then rules whether the words in question are in order.[11]

Discharge Petition Signatures

§ 83.1 Under the version of the Discharge Rule which was applicable before the 103d Congress, while a Member had the right to look at a discharge petition, he did not have the right to read to the House the names signed on such petition.

On Mar. 15, 1946,[12] Speaker Sam Rayburn, of Texas, ruled that while a Member had a right to examine a discharge petition on the floor of the House, he did not have the right to read the names contained thereon in debate:

> MR. [JOHN J.] COCHRAN [of Missouri]: Mr. Speaker, a point of order.
>
> THE SPEAKER: The gentleman will state it.
>
> MR. COCHRAN: As I understand the rules of the House, it is not permissible to give out anything contained in a petition on the Clerk's desk until the petition has the required number of signers. Then it automatically is printed in the Record with the signatures thereon.

7. Rule XXX, which formerly required unanimous consent for the reading of papers if objection was made, has been rewritten to apply to the display of exhibits rather than the reading of papers. See the discussion in § 80, supra.
8. See §§ 83.2, 83.3, infra.
9. See § 83.5, infra.
10. See § 83.4, infra.
11. See §§ 48–52, supra.
12. 92 CONG. REC. 2329, 79th Cong. 2d Sess.

THE SPEAKER: It is certainly a violation of the rules to do that.

MR. [JOHN E.] RANKIN [of Mississippi]: I have not given out anything. Do not get excited. I merely asked for the petition. I have a right to look at it, as a Member of the House.

THE SPEAKER: The gentleman has the right to look at it but he does not have the right to read any of the names on the petition.

Communications from Senators

§ 83.2 It is not in order in debate for a Member to read a letter from a member of the Senate.

On May 25, 1937,[13] while the Committee of the Whole was considering House Joint Resolution 361, for relief appropriations, Mr. Alfred F. Beiter, of New York, stated his intention to read from letters he had from members of the Senate, stating their sympathy.

Chairman John J. O'Connor, of New York, made a point of order, on his own responsibility, against "the reading of a letter from a member of another body."

Reference to Senate Proceedings

§ 83.3 It has been held not in order to read the proceedings of the Senate or the remarks of a Senator, whether printed in the *Congressional Record* or reported elsewhere.

On May 11, 1932,[14] Mr. Fred A. Britten, of Illinois, called the attention of the House to an extract from the *Congressional Record* of Senate proceedings. Mr. Thomas L. Blanton, of Texas, made the point of order that it was a violation of the rules of the House to refer to any proceedings of the Senate or any speeches made in the Senate in House debate. Mr. Charles L. Underhill, of Massachusetts, objected that "there is no rule that prevents a Member from reading from the Record any matter published therein."

Chairman Gordon Browning, of Tennessee, ruled that a Member of the House could not in any way in debate on the floor of the House comment on the actions, speeches, or proceedings of a Senator or of the Senate itself. In response to a question by Mr. Underhill, the Chairman stated that the rules also prohibited a Member from reading from the Record matter published therein by the Senate.

Mr. Britten then attempted to quote from newspaper reports of

13. 81 CONG. REC. 5013, 75th Cong. 1st Sess.

14. 75 CONG. REC. 10019, 72d Cong. 1st Sess.

the Senate speech to which he had referred, and the Chairman ruled that Mr. Britten could not refer to newspaper reports of Senate proceedings.

Additional debate on the subject occurred, and the Chairman reiterated his ruling that under the rules a Member of the House could not read extracts from the *Congressional Record* of Senate proceedings. Mr. Britten entered an appeal from the decision of the Chair, but then withdrew his appeal after the then Speaker of the House, Mr. William B. Bankhead, of Alabama, took the floor to support the correctness of the ruling of the Chair.

On Feb. 20, 1933,[15] Mr. Henry T. Rainey, of Illinois, indicated his intention to quote from a speech made by a Senator in the Senate and printed in the *Congressional Record*. Mr. John E. Rankin, of Mississippi, made the point of order that Mr. Rainey could not so refer to a member of the Senate. Speaker John N. Garner, of Texas, sustained the point of order and ruled that "A Member of the House could not refer to a Senator and quote what he said."[16]

Executive Session Committee Proceedings

§ 83.4 If a committee has not voted to make the proceedings of an executive session public, it is not in order in debate to read or quote from the minutes thereof.

On Apr. 5, 1967,[17] during debate on a resolution funding the Committee on Science and Astronautics, Mr. Joe D. Waggonner, Jr., of Louisiana, a member of the committee, began referring to proceedings of the committee and quoting dialogue from a session thereof. Mr. John W. Wydler, of New York, whose words were being quoted, stated a point of order that quotation in debate of minutes of an executive committee session was improper.

Speaker John W. McCormack, of Massachusetts, ruled as follows:

> The Chair would like to inquire of either the gentleman from Louisiana or the gentleman from Texas whether the gentleman from Louisiana is reading from the executive session record? . . .
>
> MR. [OLIN E.] TEAGUE of Texas: Mr. Speaker, it is my remembrance that what he is quoting was what took place at an executive session.

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15. 76 CONG. REC. 4508, 72d Cong. 2d Sess.

16. For more detailed discussion of the prohibition against referring in debate to the Senate or to individual Senators, see § 44, supra.

For Senate references to House proceedings, see § 46, supra.

17. 113 CONG. REC. 8411, 8412, 90th Cong. 1st Sess.

THE SPEAKER: The Chair would like to make the further inquiry as to whether or not the members in the executive session voted to make public what took place in the executive session?

MR. TEAGUE of Texas: It is my memory that we did not vote on that and it was not discussed.

THE SPEAKER: The Chair would suggest to the gentleman from Louisiana that he refrain from referring to what took place in the executive session.

Papers Impugning Members

§ 83.5 It is not in order in debate to read papers impugning the motives or attacking the personality of other Members.

On June 16, 1947,[18] Mr. Chet Holifield, of California, read in the House a telegram from the Southern Conference on Human Welfare. Mr. John E. Rankin, of Mississippi, made a point of order against certain words in the telegram and demanded that they be taken down: "We completely repudiate the lies and half-truths of the report that was issued and consider it un-American."

Speaker Joseph W. Martin, Jr., of Massachusetts, ruled that the words objected to, referring to the Committee on Un-American Activities, were unparliamentary, since they "reflect upon the character and integrity of the membership of a committee." The words were stricken by motion from the *Congressional Record*.[19]

§ 83.6 Clause 1 of Rule XIV, requiring Members to "avoid personality" during debate, prohibits references in debate to newspaper accounts used in support of a Member's personal criticism of a sitting Member in a way which would be unparliamentary if uttered on the floor as the Member's own words; and the prohibition against reading in debate of press accounts which are personally critical of a sitting Member does not constitute "censorship" of the press by the House, but rather is consistent with House rules which preclude debate or insertions in the Record which engage in "personality."

18. 93 CONG. REC. 7065, 80th Cong. 1st Sess.

19. For detailed discussion of improper references to other Members in debate, see §§ 53 et seq., supra.

Where a Member reads a paper by consent of the House, he is not thereby entitled to read language which is in itself disorderly. Such a reference is subject to the demand that words in debate be taken down and is subject to a ruling by the Speaker (see §§ 61–66, supra).

On Feb. 25, 1985,[20] the following proceedings occurred in the House:

THE SPEAKER PRO TEMPORE:[1] Under a previous order of the House, the gentleman from Georgia (Mr. Gingrich) is recognized for 60 minutes.

MR. [NEWT] GINGRICH [of Georgia]: Mr. Speaker, I am going to insert in the Record today and read into the Record several editorials, one from the Atlanta Journal and Constitution yesterday, Sunday, February 24, and one this morning from the Wall Street Journal, both of them talking about the tragic situation in which the Democratic leadership has blocked Mr. McIntyre of Indiana from being seated. . . .

> Yet twice the House has voted to deny McIntyre the seat while it investigates. . . .
>
> The technicalities aside, the case is interesting for what it says about the Congress. . . . In the second vote only five Democrats dared abandon O'Neill and the leadership.
>
> Georgia's Democrats went right along with the herd, in defiance of basic decency. . . . A few Republicans near each election try to remind voters that the Democrats' first vote will be for O'Neill and that vote signals bondage. This year it meant the abandonment of fairness. . . .

MS. [MARY ROSE] OAKAR [of Ohio]: Mr. Speaker, parliamentary inquiry. . . .

MR. GINGRICH: Mr. Speaker, the gentlewoman has not asked me to yield, and I was in fact making an inquiry myself to the Chair. I was asking the Chair to rule in this sort of setting if one is reporting to the House on the written opinion of a columnist in which the columnist has said very strong things, is it appropriate for the House to be informed of this and, if so, what is the correct procedure?

THE SPEAKER PRO TEMPORE: The ruling of the Chair is that the gentleman should not read into the Record things which would clearly be outside the rules of this House. . . .

MR. GINGRICH: Let me continue to ask the Chair, because I am a little confused, in other words, if a columnist writing in the largest newspaper in the State of Georgia says very strong things about his concern about the House's behavior, would the House in effect censor a report of that concern?

THE SPEAKER PRO TEMPORE: No; the House does not censor any report of that kind. The gentleman does take the responsibility, however, for words uttered on the floor, and he is certainly capable of leaving out those items which he knows would be outside the rules of this House. . . .

MR. GINGRICH: If I may continue a moment to ask the gentleman, if we are in a situation where in the view of some people, such as Mr. Williams of the Atlanta Journal-Constitution, very strong things are legitimately being said, and this is obviously his viewpoint, what is the appropriate manner in which to report his language to the House?

That is not me saying these things; he is saying these things.

THE SPEAKER PRO TEMPORE: The gentleman knows the rules of the House, I am certain, and he can take

20. 131 CONG. REC. 3344–46, 99th Cong. 1st Sess.

1. Sam B. Hall, Jr. (Tex.).

out or delete any thing that he knows would violate the rules of this House if spoken from the floor.

MR. GINGRICH: Under the Rules of the House . . . if one were to only utter the words on the floor that were appropriate, but were to then insert the item in the Record, is the Record then edited by the House? That is, if it was put in as an extension of remarks or put in under general leave?

THE SPEAKER PRO TEMPORE: As the gentleman knows, there are precedents where a question of privilege can be raised about certain things inserted in the Record, and those could be raised if the gentleman attempts to insert them into the Record, or not. . . .

As the gentleman knows, words spoken on the floor of the House can be objected to.

The following exchange took place on Feb. 27, 1985:[2]

MR. [THOMAS S.] FOLEY [of Washington]: . . . I came to the floor [to] suggest that it is important that we have a balanced opportunity to discuss these issues. . . . I simply think it is important that we observe the rules of the House in the course of debate, and I think the two gentlemen, Mr. Walker and Mr. Gingrich, know that it is not permissible under long-standing rules of the House and interpretations of the Parliamentarians . . . to read into the Record statements that would be inappropriate if made by a Member directly. . . .

I just wanted to make the point that these gentlemen in the well and the gentleman from Pennsylvania (Mr. Walker) know the rules very well. They are very skilled at them and they know that it is inappropriate to use a newspaper article, however widely published, to violate the rules of the House.

§ 83.7 In response to a parliamentary inquiry, the Chair indicated that a question of the privileges of the House could be raised against the insertion in the Record of a press account using language personally offensive against a sitting Member, whether uttered by a former Member or anyone else.

The proceedings of Feb. 25, 1985, relating to newspaper articles sought to be inserted in the Record by Mr. Newton L. Gingrich, of Georgia, are discussed in § 83.6, supra.

§ 84. Use of Exhibits

Rule XXX, as amended in the 103d Congress,[3] states:

> When the use of any exhibit in debate is objected to by any Member, it shall be determined without debate by a vote of the House.

The use of exhibits in debate requires the consent of the House if

2. 131 CONG. REC. 3902, 99th Cong. 1st Sess.

3. *House Rules and Manual* § 915 (1995).