So the motion to table was agreed to.

The result of the vote was announced as above recorded.

THE SPEAKER: The Chair recognizes the gentleman from California (Mr. Edwards) to offer a motion.

MR. [CHARLES E.] WIGGINS [of California]: Mr. Speaker, I have a parliamentary inquiry.

THE SPEAKER: The gentleman will state his parliamentary inquiry.

MR. WIGGINS: Mr. Speaker, upon the conclusion of our consideration of House Joint Resolution 638, including the adoption of any amendments to it, when the question is put on the final passage of that resolution, must the vote of the House to adopt the joint resolution be by a simple majority of those present and voting or by two-thirds of those present and voting?

THE SPEAKER: In response to the parliamentary inquiry raised by the gentleman from California, the Chair feels that the action of the House in laying on the table House Resolution 1315 was an indication by the House that a majority of the Members feel a majority vote is required for the final passage of House Joint Resolution 638. The Chair would cite the precedent contained in Cannon's VIII, section 2660, that affirmative action on a motion to lay on the table, while not a technical rejection, is in effect an adverse disposition equivalent to rejection.

The Chair, by ruling that House Resolution 1315 properly raised a question of the privileges of the House under rule IX, believed it essential that the question of the vote required to pass House Joint Resolution 638 be decided by the House itself. The House now having laid that resolution on the table, the Chair feels that the result of such a vote, combined with the guidance on this question furnished by the Committee on the Judiciary on page 6 of its report, justifies the Chair in responding that, following the expression of the House, House Joint Resolution 638 will be messaged to the Senate if a majority of those present and voting, a quorum being present, vote for passage.

MR. WIGGINS: I have a further parliamentary inquiry, Mr. Speaker.

THE SPEAKER: The gentleman will state it.

MR. WIGGINS: Do I understand the ruling of the Chair correctly to be that a vote not to consider a privileged resolution is equivalent to a rejection of the text of the resolution itself?

THE SPEAKER: The vote was not on the question of consideration. The Chair will state that he believes he has answered the question raised in the gentleman's original inquiry. The Chair has stated that a motion to table is an adverse disposition.

MR. WIGGINS: Mr. Speaker, I understood the answer, then, to be "Yes"?

THE SPEAKER: The answer is "Yes."

§ 2. Stating and Putting the Question

Reaching a decision on a motion before the House or the Committee of the Whole involves several distinct steps. After debate has terminated, the Chair first *states the question:* "The question

is on the motion offered by the Gentleman from ____." The Chair's statement defines the issue to be voted upon.[13] The Chair then *puts the question:* "Those in favor of the motion will say aye, those opposed will say no." The type of vote is then within the control of the Members, who can ask for a division, recorded vote, or—in the House—the yeas and nays.[14]

The order in which motions or questions are put to the House is dictated by rules, either standing or special. A standing rule may establish the "regular order" of considering issues. A special order reported from the Committee on Rules or otherwise brought to the House for consideration and adoption may specify a "unique order" for consideration of amendments.

Rule XIX, e.g., structures the order of voting when several amendments are pending—an amendment tree—and also specifies that the title of a bill or resolution is amended only after the text is agreed to.[15]

Jefferson's Manual states that the "natural order in considering and amending any paper is, to begin at the beginning, and proceed through it by paragraphs;" with a "single exception found in parliamentary usage."[16] The preamble is considered and amended after the text has been perfected and agreed to.[17]

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13. See § 2.1, infra.

14. The precise rule which governs the action of the Chair—Rule 1 clause 5(a)—is as follows:

"He shall rise to put a question, but may state it sitting; and shall put questions in this form, to wit: "As many as are in favor (as the question may be), say 'Aye'."; and after the affirmative voice is expressed, "As many as are opposed, say 'No'."; if he doubts, or a division is called for, the House shall divide; those in the affirmative of the question shall first rise from their seats, and then those in the negative. If any Member requests a recorded vote and that request is supported by at least one-fifth of a quorum, such vote shall be taken by electronic device, unless the Speaker in his discretion orders clerks to tell the names of those voting on each side of the question, and such names shall be recorded by electronic device or by clerks, as the case may be, and shall be entered in the Journal, together with the names of those not voting. Members shall have not less than fifteen minutes to be counted from the ordering of the recorded vote or the ordering of clerks to tell the vote." See *House Rules and Manual* § 629 (1995).

15. *House Rules and Manual* § 822 (1995). See also Ch. 27, §§ 19.4–19.6, supra.

16. *House Rules and Manual* §§ 413, 414 (1995). See also Ch. 24, §§ 9.9–9.13, supra.

17. See §§ 2.6–2.8, supra.

Chair's Statement as Controlling

§ 2.1 A motion as stated by the Chair in putting the question and not as stated by the Member in offering the motion, is the proposition voted upon.

On Dec. 4, 1963,[18] the House having resolved itself into the Committee of the Whole in order to consider a bill (H.R. 6196) to revitalize the cotton industry, Mr. Charles B. Hoeven, of Iowa, offered an amendment in the nature of a substitute requiring the Secretary of Agriculture to make yearly adjustments in cotton price supports and to conduct a research program to reduce the cost of upland cotton production.

Following some discussion of the proposed amendment, Mr. William R. Poage, of Texas, moved[19] that "all debate on this amendment close at 4 o'clock."

In presenting the question, however, the Chairman[20] stated:

> The gentleman from Texas [Mr. Poage] moves that all debate on this amendment and all amendments thereto close at 4 o'clock. The question is on the motion of the gentleman from Texas [Mr. Poage].

While the motion passed, the Chair's phrasing prompted the following exchange:

> MR. [M.G.] SNYDER [of Kentucky]: Mr. Chairman, a parliamentary inquiry. I understood the gentleman to propose that all debate on this amendment close at 4 o'clock, and I understood the Chair to say "this amendment and all amendments thereto."
>
> THE CHAIRMAN: That is correct.
>
> MR. SNYDER: Which is it?
>
> THE CHAIRMAN: "And all amendments thereto" is the way the Chair put it: "This amendment and all amendments thereto" is the way the Chair put the question.

Thus, the Chair's statement of the question is preeminent.

§ 2.2 Where a Member asks for a recorded vote in the House, but the Chair interprets the request as a demand for the yeas and nays and puts the question in that fashion ("Those in favor of taking this vote by the yeas and nays will rise"), it is the Chair's statement of the issue, not the Member's request, which governs whether one-fifth of a quorum or one-fifth of those present will constitute a sufficient second. Since the constitutional demand for the yeas and nays always takes precedence, and since the Chair himself has the right to make

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18. 109 CONG. REC. 23300, 88th Cong. 1st Sess.

19. *Id.* at p. 23305.

20. John J. Rooney (N.Y.).

that demand, the Chair can force the yeas and nays when he chooses to do so.

On Oct. 1, 1981, a resolution disapproving an action of the District of Columbia Council was before the House. When a motion was made to proceed to its consideration, a Member asked for a recorded vote on that motion. The Speaker Pro Tempore, James J. Howard, of New Jersey, interpreted the demand as one for the yeas and nays. The proceedings were as follows:[1]

MOTION OFFERED BY MR. PHILIP M. CRANE

MR. CRANE [of Illinois]: Mr. Speaker, I offer a motion.

The Clerk read as follows:

> Mr. Philip M. Crane moves that the House proceed to the immediate consideration of House Resolution 208 pursuant to section 604(g) of the District of Columbia Self-Government and Governmental Reorganization Act (D.C. Code, sec. 1–127(g)).

THE SPEAKER PRO TEMPORE: The question is on the motion offered by the gentleman from Illinois (Mr. Philip M. Crane).

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

MR. [RONALD V.] DELLUMS [of California]: Mr. Speaker, on that I request a recorded vote.

THE SPEAKER PRO TEMPORE: The gentleman asks for the yeas and nays. All Members wishing the yeas and nays will rise and remain standing until counted.

The Chair will count the House.

One hundred and fifty-seven Members are present; thirty-four having stood, a sufficient number, the yeas and nays are ordered.

POINT OF ORDER

MR. [ROBERT S.] WALKER [of Pennsylvania]: Mr. Speaker, a point of order.

THE SPEAKER PRO TEMPORE: The gentleman will state it.

MR. WALKER: Mr. Speaker, the gentleman asked for a recorded vote, I believe, which requires 44 Members.

THE SPEAKER PRO TEMPORE: The Chair put the question for the yeas and nays. The Chair counted for the yeas and nays, the Chair would inform the gentleman.

The yeas and nays are ordered. Members will cast their vote by electronic device.

Only Chair Puts Question

§ 2.3 Votes on questions may be put only by the Chair; and it is not in order for a Member having the floor in debate to ask for a show of support for a certain proposition.

It is not within the rules for a Member, during debate, to ask his colleagues to show whether they support, or would support, an amendment or a bill drafted in a certain form. Putting the question

1. 127 CONG. REC. 22760, 97th Cong. 1st Sess.

is the prerogative of the Chair and it is not in order to seek informal expressions of support. On May 5, 1955,[2] Chairman Robert L. F. Sikes, of Florida, had occasion to make such a ruling:[3]

MR. [ABRAHAM J.] MULTER [of New York]: Mr. Chairman, I move to strike out the necessary number of words.

Mr. Chairman, I supported the rigid price-support program and I intend to do it again today. I supported the peanut amendment last year, and I did yesterday, but I am beginning to wonder whether or not the victory that was accomplished on the peanut amendment yesterday was not brought about at least by some people who want to scuttle the entire program and see this bill defeated.

I have noticed that most of our Republican colleagues walked through the tellers yesterday in support of the peanut amendment. I ask now how many of them who voted for the peanut amendment yesterday will vote for this bill if the peanut amendment remains in the bill? Those of you who will, please do me the favor of rising in your seats.

MR. [CLARE E.] HOFFMAN of Michigan: Mr. Chairman, a point of order. I object to that as being contrary to the rules. The gentleman has no right to call for a rising vote.

THE CHAIRMAN: The gentleman will proceed in order.

MR. [MELVIN R.] LAIRD [of Wisconsin]: Mr. Chairman, will the gentleman yield so that I may answer his question?

MR. MULTER: No, I will yield at this point only for a show of hands or a rising by those Members on the left-hand side of the aisle who will vote for this bill with the peanut amendment in it.

MR. HOFFMAN of Michigan: Mr. Chairman, a point of order. The gentleman is out of order, and under the rules his request should be stricken from the record.

THE CHAIRMAN: The gentleman's point of order is well taken. Questions can be put only by the Chair. The Chair trusts the gentleman will proceed in order.

§ 2.4 An amendment which is "accepted" by the bill manager must still be voted upon.

The fact that the majority and minority managers of the bill or issue before the House "accept" the motion or amendment does not relieve the Chair of the necessity of stating and putting the question. The proceedings of Feb. 27, 1980,[4] are illustrative:

2. 101 CONG. REC. 5778, 84th Cong. 1st Sess.

3. A similar ruling was given by Chairman William H. Natcher, of Kentucky, on Apr. 27, 1977, 123 CONG. REC. 12548, 95th Cong. 1st Sess. In the 104th Congress, a similar admonition was made that Members in debate should "not conduct straw polls in the House." Speaker Pro Tempore Robert Goodlatte, of Virginia; 141 CONG. REC. p. __, 104th Cong. 1st Sess., Nov. 18, 1995.

4. 126 CONG. REC. 4095, 4096, 96th Cong. 2d Sess.

Amendment offered by Mr. Bauman: Page 5, immediately after line 8 insert the following new subsection:

"(k) Up to one per centum of the funds made available to Nicaragua from amounts authorized in subsection (b) shall be used to make publicly known to the people of Nicaragua the extent of U.S. aid programs to them. The President shall periodically report to the Congress on the effectiveness of his efforts to carry out this subsection."

MR. [CLEMENT J.] ZABLOCKI [of Wisconsin]: Mr. Chairman, will the gentleman yield?

MR. [ROBERT E.] BAUMAN [of Maryland]: I yield to the gentleman from Wisconsin.

MR. ZABLOCKI: I thank the gentleman from Maryland for yielding.

Mr. Chairman, I sort of feel a bit embarrassed that I am accepting all of these amendments, but since we are being very cooperative, we have had an opportunity to read and study the amendment offered by the gentleman from Maryland (Mr. Bauman). Certainly we want to identify U.S. aid to Nicaragua. On behalf of this side and on behalf of many of the majority, we accept the amendment.

MR. BAUMAN: I thank the gentleman.

MR. [TOM] HARKIN [of Iowa]: Mr. Chairman, I move to strike the requisite number of words.

PARLIAMENTARY INQUIRY

MR. ZABLOCKI: Mr. Chairman, I have a parliamentary inquiry.

We have not voted on the amendment.

THE CHAIRMAN:[5] The gentleman from Iowa (Mr. Harkin) is entitled to move to strike the requisite number of words, to debate the amendment, even though it has been accepted by both sides.

The Chair recognizes the gentleman from Iowa (Mr. Harkin).

MR. [EDWARD J.] DERWINSKI [of Illinois]: I yield to the gentleman from Florida.

MR. [DANTE B.] FASCELL [of Florida]: Mr. Chairman, we are about to vote here in a second on this amendment, which has been accepted, and I would just like to say to my colleagues that we have had many days now of very fine cooperation, thorough debate on many issues before us on this bill. We are down to about the last amendment. I believe there is one more amendment on that side of the aisle. I am not sure, but I believe that is right. And with a little cooperation we can finish this bill. I would urge the continued cooperation of my colleagues.

THE CHAIRMAN: The question is on the amendment offered by the gentleman from Maryland (Mr. Bauman).

The amendment was agreed to.

An Amendment Identical to One Previously Adopted Must Still Be Voted Upon

§ 2.5 Where the Committee of the Whole, pursuant to a unanimous-consent agreement, permitted identical amendments to two propositions to be considered and debated at the same time, the Chair still put the question on the two propositions separately, causing the Com-

5. Thomas S. Foley (Wash.).

mittee to vote first on the perfecting amendment to the original text and then on the identical amendment offered to the amendment in the nature of a substitute.

On July 12, 1988,[6] the House had resolved into the Committee of the Whole for consideration of the Defense Savings Act, 1988 (H.R. 4481). The proceedings were as follows:

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. ARMEY

MR. [RICHARD K.] ARMEY [of Texas]: Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. Armey: Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This act may be cited as the "Defense Savings Act of 1988."

SEC. 2. CLOSURE AND REALIGNMENT OF MILITARY INSTALLATIONS.

This Secretary of Defense shall— . . .

AMENDMENT OFFERED BY MR. PORTER TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. ARMEY

MR. [JOHN E.] PORTER [of Illinois]: Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. Porter to the amendment in the nature of a substitute offered by Mr. Armey: In section 4(b), strike out "The" in the first sentence and insert in lieu thereof "Subject to paragraph (2), the".

At the end of section 4(b), add the following new paragraph:

(2) Not more than one-half of the professional staff of the Commission shall be individuals who have been employed by the Department of Defense during calendar year 1988.

MR. PORTER: Mr. Chairman, I ask unanimous consent that the amendment be made in order both to the amendment in the nature of a substitute offered by the gentleman from Texas [Mr. Armey] and to the committee bill.

THE CHAIRMAN:[7] Is there objection to the request of the gentleman from Illinois to making the amendment in order to both the committee print and to the amendment in the nature of a substitute?

There was no objection.

PARLIAMENTARY INQUIRY

MR. [LES] ASPIN [of Wisconsin]: Mr. Chairman, let me make a parliamentary inquiry. Can the gentleman from Illinois offer his amendment to both pieces of legislation simultaneously?

THE CHAIRMAN: Unanimous consent was given to offer the amendment simultaneously to both of the pending texts, since both texts are pending and open to separate amendment at any point. So the amendments are now pending to both. Under parliamentary procedure, the amendment will be first

6. 134 CONG. REC. 17757, 17762, 17763, 100th Cong. 2d Sess.

7. Harold L. Volkmer (Mo.).

voted upon to the original bill and then it will be voted upon as offered to the substitute offered by the gentleman from Texas. . . .

MR. ASPIN: Mr. Chairman, what are we going to vote on? What is the parliamentary procedure?

THE CHAIRMAN: If there is no further discussion on the amendment offered by the gentleman from Illinois, the Chair will put the question. The question will be first put as to the amendment to the print, being considered as original text, and the Chair will now do that.

The question is on the amendment offered by the gentleman from Illinois [Mr. Porter] to the committee amendment in the nature of a substitute.

The amendment to the committee amendment in the nature of a substitute was agreed to.

THE CHAIRMAN: The question is on the amendment offered by the gentleman from Illinois [Mr. Porter] to the amendment in the nature of a substitute offered by the gentleman from Texas [Mr. Armey].

The amendment to the amendment in the nature of a substitute was agreed to.

Preamble Amendments

§ 2.6 When the Committee of the Whole has perfected the body and then the preamble of a concurrent resolution and the Committee rises, the Speaker puts the question on separate votes on amendments and then on agreeing to the resolution (including the preamble).

On Oct. 5, 1962,[8] the House resolved itself into the Committee of the Whole for the consideration of a concurrent resolution (H. Con. Res. 570) expressing the sense of the Congress with respect to the then-volatile situation in Berlin.

In the course of considering the resolution, the Committee perfected both the body and the preamble,[9] whereupon it rose, and the Chairman[10] reported the resolution back to the House with the amendments adopted by the Committee. Under the rule, the Speaker[11] then ordered the previous question and asked if any of the Members sought a separate vote on any amendment. No such request having been made, the amendments were considered en gross and agreed to. The Chair then put the question on the concurrent resolution in accordance with appropriate procedure.

§ 2.7 Where a joint resolution is reported to the House from the Committee of the Whole with amendments to the body and preamble, the Speaker puts the question: (1) on the amendment to the

8. 108 CONG. REC. 22620, 87th Cong. 2d Sess.
9. *Id.* at pp. 22636, 22637.
10. Samuel S. Stratton (N.Y.).
11. John W. McCormack (Mass.).

body; (2) on engrossment of the joint resolution; (3) on the amendment to the preamble; (4) on the third reading of the joint resolution; and (5) on passage of the joint resolution.

On Aug. 18, 1972,[12] the House resolved itself into the Committee of the Whole for the consideration of a joint resolution (H.J. Res. 1227) to provide congressional approval of an interim agreement on limitation of strategic offensive arms. During the course of the discussion, the Committee amended both the body and the preamble of the resolution after which it rose[13] under the rule and reported the resolution back to the House with the adopted amendments.

Thereafter,[14] the Speaker[15] put the appropriate questions in the proper procedural order as the following excerpt indicates:

> THE SPEAKER: Under the rule, the previous question is ordered.
>
> The question is on the amendment to the text of the joint resolution.
>
> The amendment to the text of the joint resolution was agreed to.
>
> THE SPEAKER: The question is on the engrossment of the joint resolution.
>
> The joint resolution was ordered to be engrossed.
>
> THE SPEAKER: The question is on the amendment to the preamble.
>
> The amendment to the preamble was agreed to.
>
> THE SPEAKER: The question is on the third reading of the joint resolution.
>
> The joint resolution was ordered to be read a third time, and was read the third time.
>
> THE SPEAKER: The question is on the passage of the joint resolution.

Parliamentarian's Note: Where a Senate joint resolution is considered in the House, the question is put separately on the preamble only if there are amendments to be considered thereto.

§ 2.8 A motion to strike all after the resolving clause of a concurrent resolution does not affect the preamble thereof; and a motion to strike out the preamble is properly offered after the resolution has been agreed to.

On Feb. 21, 1966,[16] the House considered a Senate concurrent resolution, the text of which was identical to a House-passed resolution, differing only in that the Senate resolution carried a preamble. The proceedings for eliminating the preamble are carried below:

> The Clerk called the concurrent resolution (H. Con. Res. 552) recognizing

12. 118 CONG. REC. 29095, 92d Cong. 2d Sess.

13. *Id.* at p. 29126.

14. *Id.* at p. 29127.

15. Carl Albert (Okla.).

16. 112 CONG. REC. 3473, 89th Cong. 2d Sess.

the 50th anniversary of the chartering by act of Congress of the Boy Scouts of America. . . .

THE SPEAKER PRO TEMPORE:[17] Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Clerk read the House concurrent resolution, as follows:

H. CON. RES. 552

Whereas June 15, 1966, will mark the fiftieth anniversary of the granting by Act of Congress of the charter of the Boy Scouts of America;

Whereas the Boy Scouts of America was the first youth organization to be granted a charter by Act of Congress;

Whereas the Congress has been kept informed of the programs and activities of the Boy Scouts of America through the annual reports made to it each year by this organization in accordance with such charter.

Whereas these programs and activities have been designed to instill in boys the moral and ethical principles, and the habits, practices, and attitudes, which are conducive to good character, citizenship, and health; and

Whereas, by fostering in the youth of the Nation those qualities upon which our strength as a Nation is dependent, the Boy Scouts of America has made a contribution of inestimable value to the welfare of the entire Nation: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That the Congress hereby pay tribute to the Boy Scouts of America on the occasion of the fiftieth anniversary of the granting by Act of Congress of the charter of the Boy Scouts of America, and expresses its recognition of and appreciation for the public service performed by this organization through its contributions to the lives of the Nation's youth.

The concurrent resolution was agreed to and a motion to reconsider was laid on the table.

The following committee amendment was agreed to:

On pages 1 and 2, strike all "Whereas" clauses.

MR. [ARCH A.] MOORE [Jr., of West Virginia]: Mr. Speaker, I ask unanimous consent for the present consideration of Senate Concurrent Resolution 68, which is similar to House Concurrent Resolution 552.

The Clerk called the Senate concurrent resolution (S. Con. Res. 68).

THE SPEAKER: Is there objection to the present consideration of the Senate concurrent resolution?

There was no objection.

There being no objection, the Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 68

Whereas June 15, 1966, will mark the fiftieth anniversary of the granting by Act of Congress of the charter of the Boy Scouts of America;

Whereas the Boy Scouts of America was the first youth organization to be granted a charter by Act of Congress;

Whereas the Congress has been kept informed of the programs and activities of the Boy Scouts of America through the annual reports made to it each year by this organization in accordance with such charter;

Whereas these programs and activities have been designed to instill in boys the moral and ethical principles, and the habits, practices, and

17. Carl Albert (Okla.).

attitudes, which are conducive to good character, citizenship, and health; and

Whereas, by fostering in the youth of the Nation those qualities upon which our strength as a Nation is dependent, the Boy Scouts of America has made a contribution of inestimable value to the welfare of the entire Nation: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby pays tribute to the Boy Scouts of America on the occasion of the fiftieth anniversary of the granting by Act of Congress of the charter of the Boy Scouts of America, and expresses its recognition of and appreciation for the public service performed by this organization through its contributions to the lives of the Nation's youth.

MR. MOORE: Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Moore: Strike out all after the enacting clause and insert the provisions of House Concurrent Resolution 552 as passed.

THE SPEAKER PRO TEMPORE: Is the purpose of the gentleman from West Virginia to strike out the preamble?

MR. MOORE: My amendment would strike out the language of the Senate concurrent resolution and substitute in lieu thereof the language of the concurrent resolution just passed by the House.

THE SPEAKER PRO TEMPORE: Would the amendment of the gentleman from West Virginia strike out the preamble or all after the enacting clause and substitute the language of the House concurrent resolution just passed?

MR. MOORE: It would strike out all after the enacting clause.

THE SPEAKER PRO TEMPORE: That would not eliminate the preamble.

MR. MOORE: Then, Mr. Speaker, I move to strike the preamble.

The Senate concurrent resolution was agreed to and a motion to reconsider was laid on the table.

THE SPEAKER PRO TEMPORE: The Clerk will report the amendment of the gentleman from West Virginia.

The Clerk read as follows:

Mr. Moore moves to strike out the preamble.

The amendment was agreed to.

A similar House concurrent resolution was laid on the table.

§ 3. Duty To Vote

In the First Congress, a rule was adopted which specified that "no Member shall vote on any question in the event of which he is immediately and particularly interested; or in any case where he was not present when the question was put."[18] Another rule, adopted on the same day, Apr. 7, 1789, provided that "every Member who shall be in the House when a question is put shall vote on the one side or the other, unless the House for special reasons shall excuse him;".[19] Finally, on Apr. 13, 1789, the House

18. See House Journal, First Cong. 1st Sess., p. 9, for adoption of "old rule 29," on Apr. 7, 1789.

19. First Cong. 1st Sess., Rule 31.