

Introduction and Reference of Bills and Resolutions

§ 1. Introduction

Procedures relating to the introduction of petitions, memorials, or bills, both public¹⁽¹⁾ and private,¹⁽²⁾ are outlined in the House Rules. In general, such bills and other documents are filed with the Clerk (by placing them in the hopper at the Clerk's desk).¹⁽³⁾

Rules of the House also regulate the introduction "by request" of bills, resolutions, and memorials,⁴ and prohibit certain private bills.⁵

Bills and resolutions may be introduced either by Members in the House, or by message from the Senate.⁶ But a bill may not be introduced by a Member-elect prior to taking the oath.

Generally, bills and resolutions are introduced by Members actu-

ally present in the House; but on at least one occasion, the House, by unanimous consent, permitted the introduction of bills notwithstanding the absence of their sponsor.⁷ Similarly, while the introduction of proposed legislation usually occurs when the House is in session, the introduction of a bill after adjournment has been authorized by unanimous consent.⁸

Although most bills are introduced by Members who support their passage, the House on occasion has received and considered bills introduced by Members opposed to their passage.⁹

Methods of Introduction

§ 1.1 Bills may be introduced by Members in the House or are received in the House by message from the Senate.

On Jan. 14, 1937,¹⁰ Mr. John J. O'Connor, of New York, called up a resolution¹¹ which provided

1. Rule XXII clause 4, *House Rules and Manual* § 854 (1973).
2. Rule XXII clause 1, *House Rules and Manual* § 849 (1973).
3. For discussion of precedents affecting introduction and reference of bills prior to 1936, see, for example, 4 Hinds' Precedents §§ 3364–3366; and 7 Cannon's Precedents §§ 1027–1033.
4. Rule XXII clause 6, *House Rules and Manual* § 860 (1973). See § 1.2, *infra*, for further discussion.
5. Rule XXII clause 2, *House Rules and Manual* § 852 (1973).
6. See § 1.1, *infra*.

7. See § 1.3, *infra*.
8. See § 1.4, *infra*.
9. See § 1.6, *infra*.
10. 81 CONG. REC. 236, 237, 243, 75th Cong. 1st Sess.
11. H. Res. 60.

for the referral to a Select Committee on Government Organization of "All bills and resolutions introduced in the House proposing legislation concerning reorganization, coordination, consolidation, or abolition of, or reduction of personnel in, organizations or units in the executive branch of the Government." Following the presentation of the resolution, the following proceedings occurred:

MR. [SAMUEL B.] PETTENGILL [of Indiana]: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER:⁽¹²⁾ The gentleman will state it.

MR. PETTENGILL: In reference to the words in lines 7 and 8, "introduced in the House", a bill or resolution which came over from the Senate which, had it been introduced in the House, would go to this select committee, would then go to the Committee on Expenditures in the Executive Departments, would it not?

THE SPEAKER: Replying to the gentleman's inquiry, it is the present opinion of the Chair that any bills that came from the Senate would be introduced in the House by a message from the Senate and would properly be referred to this select committee if they were within the jurisdiction of the committee.

Introduction of Petitions "by Request"

§ 1.2 A citizens' petition is sometimes introduced by a

12. William B. Bankhead (Ala.).

Member "by request" and referred to a committee pursuant to Rule XXII clause 6, in which case the words "by request" are entered on the Journal and printed in the Record following the name of the Member.

On Apr. 13, 1961,⁽¹³⁾ Mr. Perkins Bass, of New Hampshire, introduced (by request) the petition⁽¹⁴⁾ of 67 faculty members of Dartmouth College seeking the elimination of the House Committee on Un-American Activities as a standing committee. Following its receipt, the petition was referred to the Committee on Rules.

Effect of Sponsor's Absence

§ 1.3 On one occasion, the House, by unanimous consent, permitted a Delegate to introduce bills notwithstanding his absence from the House that day.

On Jan. 3, 1953,⁽¹⁵⁾ Mr. Charles A. Halleck, of Indiana, asked unanimous consent that the Delegate from Hawaii, Joseph Rider Farrington, be permitted to intro-

13. 107 CONG. REC. 5900, 87th Cong. 1st Sess.

14. No. 118.

15. 99 CONG. REC. 29, 83d Cong. 1st Sess.

duce bills that day notwithstanding his absence from the House. There was no objection to the gentleman's request.

Introduction After Adjournment

§ 1.4 The introduction of a measure after the adjournment of the House may be permitted by unanimous consent, but is not a request normally entertained by the Speaker.

On Oct. 16, 1967,⁽¹⁶⁾ Mr. George H. Mahon, of Texas, asked for and was granted unanimous consent to have until midnight to file a House joint resolution providing for continuing appropriations.

Parliamentarian's Note: House Joint Resolution 888, providing for continuing appropriations, was actually introduced before the House adjourned—so the permission granted above was not utilized.

While permission may be granted by the House, by unanimous consent, to introduce a bill at a time when the House is not in session, the practice has been consistently discouraged. Only one other example of such permission is to be found in the precedents.⁽¹⁷⁾

16. 113 CONG. REC. 28962, 90th Cong. 1st Sess.

17. See 7 Cannon's Precedents § 1030.

Messaging After Sine Die Adjournment

§ 1.5 A Senate bill, messaged to the House following *sine die* adjournment, is referred to committee on opening day of the next session of the same Congress.

On Jan. 10, 1966,⁽¹⁸⁾ the opening day of a new session of the same Congress, a Senate bill⁽¹⁹⁾ which had been messaged to the House following *sine die* adjournment, was referred to the Committee on Merchant Marine and Fisheries.

Introduction by One Opposed to Bill

§ 1.6 Occasionally, bills have been introduced by Members opposed to their passage.

On June 14, 1967,⁽²⁰⁾ at the commencement of debate on a joint resolution⁽¹⁾ in Committee of the Whole, Mr. Harley O. Staggers, of West Virginia, addressed the following remarks to the Chair:⁽²⁾

18. 112 CONG. REC. 36, 89th Cong. 2d Sess.

19. S. 2471, an act to improve and clarify certain laws of the Coast Guard.

20. 113 CONG. REC. 15822, 15823, 90th Cong. 1st Sess.

1. H.J. Res. 559, providing for the settlement of a railroad labor dispute.

2. Wilbur V. Mills (Ark.).

MR. STAGGERS: Mr. Chairman I am here today in a most unusual position. I was requested by the President to introduce the bill we have before us today, and because of my responsibilities as chairman of the committee, I introduced the bill. If the House was to be given an opportunity to work its will on this legislation, it was necessary that hearings begin promptly and continue as expeditiously as possible, and I think the record will bear me out, that the hearings before our committee have been prompt, they have not been delayed in any respect.

In fact we interrupted consideration of a very important piece of health legislation in order to take up this bill. We have heard every witness who wanted to be heard on the legislation. I did this because I felt it to be my responsibility to the House as chairman of the committee.

Following the conclusion of our hearings I promptly scheduled executive sessions for consideration of the bill and we met as promptly as possible both morning and afternoon and the committee reported the bill to the House.

Yesterday I went before the Rules Committee as chairman of the committee to present the facts to the Rules Committee and attempt to obtain a rule so that the bill would be considered by the House. I have done these things because I felt it is my responsibility to do so as chairman of the committee.

Unfortunately, Mr. Chairman, I was opposed to this bill when I introduced it, and having heard all the witnesses and all the testimony, I am still opposed to it. For that reason I have

asked the gentleman from Maryland [Mr. Friedel] to handle the bill in Committee of the Whole, so that I would be free to express my opposition to it . . .

Mr. Chairman, this concludes the presentation I desire to make on the bill. At this time I request the gentleman from Maryland [Mr. Friedel], the ranking majority member on the Interstate and Foreign Commerce Committee, to take charge of managing the bill on the floor.

Thereupon the gentleman from Maryland, Mr. Samuel N. Friedel, was recognized.

Introduction by Speaker

§ 1.7 Traditionally, the Speaker refrains from sponsoring public bills containing subject matter of general import; but sometimes the Speaker has introduced bills pertaining solely to matters within his congressional district.

On May 21, 1970,⁽³⁾ Speaker John W. McCormack, of Massa-

3. 116 CONG. REC. 16643, 91st Cong. 2d Sess. See also 117 CONG. REC. 23043, 92d Cong. 1st Sess., June 30, 1971, where the House, by unanimous consent, considered and passed a concurrent resolution (H. Con. Res. 354, recognizing the importance of July 4, 1971, Honor America Day celebrations) from which Speaker Carl Albert (Okla.) had removed his name as a cosponsor pursuant to the policy followed by Speakers in recent

chusetts, introduced a public bill⁽⁴⁾ which pertained solely to a matter within the congressional district which he represented.

Effect of Sponsor's Death

§ 1.8 The death of a Member after introduction of a bill does not preclude subsequent action thereon.

On June 29, 1964,⁽⁵⁾ the House considered and passed a bill⁽⁶⁾ notwithstanding the intervening death of Mr. Howard H. Baker, of Tennessee, the Member who had introduced it.

Effect of Sponsor's Resignation or Replacement

§ 1.9 A bill becomes the property of the House when introduced and is not withdrawn or canceled because of the resignation or replacement of the Member or Delegate who introduced it.

years of not introducing or cosponsoring public bills or resolutions.

4. H.R. 17750, to declare the tidewaters of the Fort Point Channel, in the city of Boston, nonnavigable.
5. 110 CONG. REC. 15274, 88th Cong. 2d Sess.
6. H.R. 7301, to amend the Internal Revenue Code.

On May 3, 1960,⁽⁷⁾ a private bill,⁽⁸⁾ previously introduced by Delegate John Burns, of Hawaii, was considered and passed by the House notwithstanding the intervening admission of the new state of Hawaii and the replacement of the Delegate by an elected Representative.

Senate Practice

§ 1.10 At the beginning of a Congress, the Senate does not permit the introduction of bills until after the President has delivered his message on the State of the Union.

On Jan. 5, 1955,⁽⁹⁾ Senator Lyndon B. Johnson, of Texas, made the following announcement to the Senate:

MR. JOHNSON: . . . As is customary, the Senate will transact no further business in the way of the introduction of bills or other matters until after the President has delivered his message on the State of the Union.

The President will come to the Capitol tomorrow at 12:30 p.m. to address a joint session of Congress in the Hall of the House of Representatives.

It is planned to have the Senate meet at 12 o'clock, and then, after a

7. 106 CONG. REC. 9246, 86th Cong. 2d Sess.
8. H.R. 2823, for the relief of Fumie Yoshioka.
9. 101 CONG. REC. 7, 84th Cong. 1st Sess.

quorum call, to proceed in a body to the Hall of the House of Representatives at about 12:10 or 12:15 p.m.

I now move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to.

§ 1.11 On one occasion, bills were introduced for a Senator who was hospitalized.

On May 23, 1957,⁽¹⁰⁾ the following exchange occurred:

MR. [LYNDON B.] JOHNSON of Texas: Mr. President, on behalf of the Senator from Missouri [Mr. Hennings], I introduce three bills:⁽¹¹⁾

Yesterday, I visited the Senator from Missouri, who is in Bethesda Naval Hospital. . . . I announce for the benefit of his friends, that he is resting comfortably; and all of us hope he will return to the Senate in a few days.

I ask unanimous consent to have printed in the Record statements prepared by the Senator from Missouri, relating to each of the bills just introduced.

THE VICE PRESIDENT:⁽¹²⁾ The bills will be received and appropriately referred; and, without objection, the statements will be printed in the Record.

§ 2. Sponsorship

House Rule XXII clause 4,⁽¹³⁾ permits the joint sponsorship of

10. 103 CONG. REC. 7491, 85th Cong. 1st Sess.
11. S. 2148, S. 2149, and S. 2150.
12. Richard M. Nixon (Calif.).
13. *House Rules and Manual* §854 (1973).

public bills by at least two but not more than 25 Members.⁽¹⁴⁾ The rule has been interpreted to permit the sponsor of a bill having the maximum permissible number of cosponsors to introduce other bills with identical text with additional cosponsors.⁽¹⁵⁾

The House by precedent has determined the order of appearance of the names of the chief sponsors and the cosponsors which are listed on jointly sponsored bills;⁽¹⁶⁾ moreover, pursuant to a directive from the Speaker, no such bill will be accepted for introduction without the signature of its prime sponsor.⁽¹⁷⁾

Following the introduction of a jointly sponsored bill, a cosponsor's name may not be deleted therefrom; but, by unanimous consent, the House may expunge the cosponsor's name from the Record.⁽¹⁸⁾

Prime Sponsor's Signature

§ 2.1 By directive of the Speaker, all bills and resolutions must be signed by the prime sponsor thereof in order to be accepted for introduction.

14. See § 2.2, *infra*.
15. See § 2.3, *infra*.
16. See § 2.4, *infra*.
17. See § 2.1, *infra*.
18. See § 2.5, *infra*.