

term does not include a record of an individual Member of the House.

The predecessor to this provision was adopted in 1880 (V, 7260). The rule was renumbered in the 83d Congress (H. Res. 5, Jan. 3, 1953, p. 24), and was rewritten entirely in the 101st Congress (H. Res. 5, Jan. 3, 1989, p. 73) to incorporate the provisions of H. Res. 419 as reported from the Committee on Rules in the 100th Congress (H. Rept. 100-1054). In the 104th Congress it was amended to reflect the new name of the Committee on House Oversight (sec. 202(b), H. Res. 6, Jan. 4, 1995, p. —).

Clause 2 of the former provision stemmed from section 140(a) of the Legislative Reorganization Act of 1946 (60 Stat. 812) and was made a part of the standing rules January 3, 1953 (p. 24) and amended January 22, 1971 (p. 144). The Clerk of the House has historically been authorized to permit the Administrator of General Services to make available for use certain records of the House transferred to the National Archives (H. Res. 288, June 16, 1953, p. 6641). In the 99th Congress the reference was changed from the General Services Administration to the National Archives and Records Administration (H. Res. 114, Oct. 14, 1986, p. 30821).

Under rule XXXVI, an order of the House is required for the release of noncurrent records of the House (Mar. 22, 1991, p. —).

RULE XXXVII.

WITHDRAWAL OF PAPERS.

No memorial or other paper presented to the House shall be withdrawn from its files without its leave, and if withdrawn therefrom certified copies thereof shall be left in the office of the Clerk; but when an act may pass for the settlement of a claim, the Clerk is authorized to transmit to the officer in charge with the settlement thereof the papers on file in his office relating to such claim, or may loan temporarily to an officer or bureau of the executive departments any papers on file in his office relating to any matter pending before such officer or bureau, taking proper receipt therefor.

§ 933. Custody of papers in the files of the House.

RULES OF THE HOUSE OF REPRESENTATIVES

§ 934-§ 935

Rule XXXIX.

This rule was adopted in 1873 and amended in 1880 (V, 7256). It was renumbered January 3, 1953, p. 24.

The House usually allows the withdrawal of papers only in cases where there has been no adverse report. As the rules for the order of business give no place to the motion to withdraw, it is made by unanimous consent (V, 7259). The House formerly adopted a privileged resolution at the beginning of each Congress authorizing the Clerk to furnish certified copies of certain types of House papers subpoenaed by courts upon determination of relevancy by the court, but not permitting production of executive session papers or transfer of original papers (Jan. 3, 1973, pp. 30-31).

See rule L, *infra* for current procedure for response to subpoenas for papers of the House.

RULE XXXVIII.

BALLOT.

In all cases of ballot a majority of the votes given shall be necessary to an election, and where there shall not be such a majority on the first ballot the ballots shall be repeated until a majority be obtained; and in all balloting blanks shall be rejected and not taken into the count in enumeration of votes or reported by the tellers.

§ 934. Elections by ballot.

This rule was first adopted in 1789 and was amended in 1837 (V, 6003). It was renumbered January 3, 1953, p. 24. The last election by ballot seems to have occurred in 1868 (V, 6003).

RULE XXXIX.

MESSAGES.

Messages received from the Senate and the President of the United States, giving notice of bills passed or approved, shall be entered in the Journal and published in the Record of that day's proceedings.

§ 935. Entry of messages in the Journal and Record.