

A Brief History on the Division of the Question

Under House Rule XVI clause 5, a question that consists of two or more separate substantive propositions is subject to a division of the question, if demanded, so as to obtain a separate vote on each proposition (Deschler-Brown Chapter 30 § 42).

The procedure of dividing a question dates back to the rules the Second Continental Congress, which were adopted in 1776, only six days after adoption of the Declaration of Independence. The current provision of the House Rules was adopted by the House of Representatives in the first Congress in 1789. The procedural provision is literally as old as our country.

The history of the use of this provision of the House Rules is long and varied. Some past examples relevant to the Science and Technology Committee include:

On October 19, 1977, the former Democratic Chairman of the Committee, George Brown, demanded a division of the question regarding an amendment to a supplemental appropriations bill. The amendment dealt with funding for the Clinch River Breeder Reactor Project.

On March 28, 1984, the former Democratic Chairman of the Committee, Don Fuqua demanded a division of the question on an amendment to a bill authorizing the activities of the National Aeronautics and Space Administration.

On July 15, 1993, Ralph Regula demanded a division of the question on an amendment to an Interior appropriation bill offered by former Republican Committee Chairman Robert Walker. The amendment dealt with funding for certain research and development programs at the Department of Energy.

The division of the question has also occurred numerous times this Congress. During consideration of H.Res. 1, the first item debated at the beginning of the Congress, the question was divided to allow separate votes on approval of the Chaplain and the other officers of the House. The procedure was last used on March 11 of this year, when the question was divided on each of the articles of impeachment against Judge G. Thomas Porteous.

Republicans have used this same procedural device numerous times in the past. For instance, at the beginning of the 104th Congress in 1995, they used a division to force nine separate votes on each element of their “Contract with America” rules package.