

in debate: “You will think, when you review the Soviet press, that the committee of this House [the Committee of the Whole] was an agency of the U.S.S.R.” Mr. Frank B. Keefe, of Wisconsin, demanded that the words be taken down, and Speaker Joseph W. Martin, Jr., of Massachusetts, ruled that the words used indicated criticism of the House but did not reflect upon the integrity of any individual Member and were therefore in order.

**§ 66.12 A reference in debate to the Committee on Un-American Activities as “the**

**Un-American Committee” was held out of order.**

On June 12, 1947,<sup>(17)</sup> Mr. John E. Rankin, of Mississippi, demanded the taking down of the reference by Mr. Chet Holifield, of California, in debate to the Committee on Un-American Activities as the “Un-American Committee.”

Speaker Joseph W. Martin, Jr., of Massachusetts, ruled that the reference impugned the motives of the committee in question and were used in debate in violation of the rules of the House.

## H. DURATION OF DEBATE IN THE HOUSE

### § 67. In General

The duration of debate on a proposition in the House is governed by the type of procedure invoked for its consideration. Most proposals are considered pursuant to one of the four procedures below:

(1) consideration under the hour rule where a standing rule of the House or a special rule from the

<sup>17.</sup> 93 CONG. REC. 6895, 80th Cong. 1st Sess.

<sup>18.</sup> See § 68, *infra*.

Committee on Rules does not otherwise provide;<sup>(18)</sup>

(2) consideration for a fixed period of time provided for by a standing rule governing a particular House procedure, such as suspensions or Calendar Wednesday;<sup>(19)</sup>

(3) consideration under the five-minute rule in the House as in the Committee of the Whole, by unanimous consent, special order,

<sup>19.</sup> See § 69, *infra*.

<sup>20.</sup> See § 70, *infra*. On rare occasions, a special rule has provided that bills

or for Private Calendar bills;<sup>(20)</sup> and

(4) consideration pursuant to special rules or unanimous-consent agreements fixing or extending the time for debate in the House.<sup>(1)</sup>

One-minute speeches and special-order speeches are two further methods whereby time may be obtained for debate, but only when no measure is under consideration.<sup>(2)</sup>

The Speaker has the function of ascertaining the time for debate and determining its expiration,<sup>(3)</sup> and under certain limited circumstances the length of debate is within the Chair's discretion.<sup>(4)</sup>

The only motion in the House with the primary purpose of closing debate and bringing the House to a vote is the motion for the previous question. Certain other motions, such as the motion to lay on the table, may have the effect of closing debate if decided in the affirmative.<sup>(5)</sup>

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be considered in the House as in the Committee of the Whole (see § 4.1, *supra*).

1. See § 71, *infra*.
2. See § 73, *infra*.
3. See §§ 67.1, 67.2, *infra*.
4. See §§ 67.3–67.6, *infra*.
5. For the closing of House debate, see § 72, *infra*.

The closing of debate in the Committee of the Whole is discussed in §§ 76, 78, 79, *infra*.

6. See § 72.1, *infra*.

Where a Member is entitled to a certain amount of time in debate, either under the general rules of the House or by unanimous consent or special rule, he is not required to consume or yield all of his time. If he is recognized to make a debatable motion under the hour rule, he may move the previous question at any time.<sup>(6)</sup> And where a unanimous-consent agreement provides a certain amount of debate, the Member in charge may move the previous question without using or yielding all the time agreed upon.<sup>(7)</sup> Similarly, the managers of a bill in the Committee of the Whole may, acting together, agree to use less than the time for general debate allotted under a special rule.<sup>(8)</sup>

Although a Member making a debatable motion need not consume all the time to which he is entitled, if he loses or surrenders the floor without closing debate, another Member is entitled to recognition.<sup>(9)</sup>

The duration and closing of debate in the Senate is governed by different considerations than those in the House.<sup>(10)</sup>

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The closing of debate in the Committee of the Whole is discussed in §§ 76, 78, 79, *infra*.

6. See § 72.1, *infra*.
7. See § 72.3, *infra*.
8. See § 76.1, *infra*.
9. See §§ 67.10–67.13, *infra*.
10. See § 72, *infra*.

**Cross References**

- Charging time to Member with the floor, see §§ 29 (yielding time) and 32 (interruption of Member with the floor), *supra*.
- Debate in committees, see Ch. 17, *supra*.
- Distribution of time for debate, see § 25, *supra*.
- Duration of debate on appropriation bills, see Ch. 26, *supra*.
- Duration of debate before adoption of the rules, see Ch. 1, *supra*.
- Duration of debate in the Committee of the Whole, see §§ 74 et seq., *infra*.
- Duration of debate on impeachment propositions and articles of impeachment, see Ch. 14, *supra*.
- Duration of debate on motions, see Chs. 18 (motion to discharge), 21 (motion to suspend the rules), 23 (motions generally), *supra*, and Ch. 32 (Senate amendments), *infra*.
- Motions and questions on which no debate is in order, see § 6, *supra*.
- Yielding and allocating time, see §§ 29–31, *supra*.

**Collateral References**

- Duration of debate in the House of Commons of Great Britain, see Erskine May's *Parliamentary Practice* 472–87, Butterworth & Co. Ltd. (17th ed.) (London 1964).
- Duration of debate in the Senate, see Riddick/Frumin, *Senate Procedure*, S. Doc. No. 101–28, 101st Cong. 2d Sess. (1992).

***Timekeeping*****§ 67.1 The Chair counts the time of a Member with the****floor and announces the expiration of allotted time.**

On June 11, 1963,<sup>(11)</sup> Mr. Paul C. Jones, of Missouri, had the floor for a one-minute speech prior to the legislative business of the day and yielded to Mr. James G. Fulton, of Pennsylvania. Speaker John W. McCormack, of Massachusetts, interrupted Mr. Fulton to state that Mr. Jones' one minute had expired, and Mr. Fulton asked unanimous consent that Mr. Jones be given one additional minute.

The Speaker ruled that such a request was not in order and refused to recognize Mr. Fulton for the request (it not being the practice to permit any Member to be recognized for more than one one-minute speech or to speak for more than one minute prior to legislative business).

**§ 67.2 Evaluation of the time consumed in one-minute speeches is a matter for the Chair and is not subject to challenge or question by a parliamentary inquiry.**

On May 9, 1972,<sup>(12)</sup> Speaker Carl Albert, of Oklahoma, re-

11. 109 CONG. REC. 10633, 88th Cong. 1st Sess.
12. 118 CONG. REC. 16288, 92d Cong. 2d Sess.

sponded as follows to a parliamentary inquiry:

MR. [DONALD W.] RIEGLE [Jr., of Michigan]: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: The gentleman will state the parliamentary inquiry.

MR. RIEGLE: Mr. Speaker, I have observed different speakers being given very different lengths of time to speak under the 1-minute rule.

I just noticed, for example, the gentleman from California who was given approximately half the time that the gentleman from Ohio (Mr. Devine) and several other speakers were given today. I object to that and I think if we are going to use the 1-minute rule, let us use it fairly.

THE SPEAKER: The Chair will state that the Chair is trying to enforce the 1-minute rule. That is not a parliamentary inquiry and the gentleman was out of order in making it.

### *Chair's Discretion as to Debate Time*

#### **§ 67.3 The duration of debate time on a point of order is within the discretion of the Chair.**

On Apr. 13, 1951,<sup>(13)</sup> Mr. Carl Vinson, of Georgia, made a point of order that an amendment offered by Mr. Antoni N. Sadlak, of Connecticut, to a pending bill was not in order since not germane to the bill. Chairman Jere Cooper, of

13. 97 CONG. REC. 3909, 3910, 82d Cong. 1st Sess.

Tennessee, inquired of Mr. Sadlak whether he desired to be heard on the point of order. Mr. Sadlak inquired "how much time will be allotted to me for that purpose?" The Chair responded that the time to be allotted was "in the discretion of the Chair."<sup>(14)</sup>

*Parliamentarian's Note:* Rule XVII clause 3 [*House Rules and Manual* §811 (1995)] provides that "incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate." The rule does not, however, deprive the Chair of his discretion, under the precedents, over debate on a point of order or a parliamentary inquiry.

#### **§ 67.4 A concurrent resolution providing for adjournment of Congress to a day certain is not debatable, but the Speaker has in his discretion permitted some time for discussion where no point of order is raised.**

On Aug. 28, 1967,<sup>(15)</sup> Mr. Carl Albert, of Oklahoma, called up

214. Points of order on which the Chair has announced his readiness to rule are not debatable, such debate being at all times within the discretion of the Chair. See § 6.12, *supra*; 5 Hinds' Precedents §§ 6919, 6920.

15. 113 CONG. REC. 24201, 90th Cong. 1st Sess.

House Concurrent Resolution 497, providing for an adjournment to a day certain of the two Houses of Congress. Speaker John W. McCormack, of Massachusetts, ruled that the resolution was not debatable, but permitted Mr. Albert to yield to another Member for a brief statement:

MR. [H. R.] GROSS [of Iowa]: Mr. Speaker, I move to strike the last word.

THE SPEAKER: The Chair will state that this is not a debatable resolution.

MR. GROSS: Mr. Speaker, will the gentleman yield?

MR. ALBERT: I yield to the gentleman from Iowa for the purpose of making a brief statement.

MR. GROSS: Mr. Speaker, I should like to ask the distinguished majority leader why the adjournment resolution was not made effective as of the first of this week, and why the recess was not planned to take in this week as well as next week?

MR. ALBERT: We have discussed this matter with the leadership on both sides, and it was determined it would be impractical to do so. . . .

The concurrent resolution was agreed to.

**§ 67.5 Although a concurrent resolution providing for an adjournment *sine die* is not debatable, brief debate time has been permitted by the Chair where no point of order was raised and where the legislative situation war-**

**ranted some discussion of the resolution.**

On Oct. 14, 1968,<sup>(16)</sup> Mr. Carl Albert, of Oklahoma, called up Senate Concurrent Resolution 83, providing for an adjournment *sine die* of the Congress on Oct. 11, 1968. Mr. Albert moved to amend the resolution by striking out the date and inserting "October 14, 1968" and then yielded five minutes' debate, without objection, to Mr. James G. O'Hara, of Michigan. Mr. O'Hara, who had previously expressed his intention to prevent the adjournment of Congress until the Senate took action on a legislative proposal permitting network TV debates among the major Presidential candidates, announced he would no longer persist in his efforts due to the likelihood of a failure of a quorum in the Senate. Mr. Albert resumed the floor to express support for Mr. O'Hara's statement and then moved the previous question on the amendment to the adjournment resolution.

**§ 67.6 Recognition for a reservation of objection to a unanimous-consent request is within the discretion of the Speaker and sometimes he refuses to permit any de-**

16. 114 CONG. REC. 31312, 31313, 90th Cong. 2d Sess.

**bate time under such a reservation.**

On Dec. 3, 1969,<sup>(17)</sup> Mrs. Edith S. Green, of Oregon, made a unanimous-consent request that she be allowed to address the House for one hour at the close of business. Mr. Roman C. Pucinski, of Illinois, attempted to reserve the right to object in order to discuss the matter. Speaker John W. McCormack, of Massachusetts, refused to entertain the reservation of objection and stated "Either the gentlewoman receives permission, or she does not." There was no objection to the request.<sup>(18)</sup>

***Effect of Interruptions During Debate Time***

**§ 67.7 The Speaker stated that time for interruptions was**

17. 115 CONG. REC. 36748, 91st Cong. 1st Sess.
18. Any Member may demand the regular order and preclude further debate on a reservation of the right to object (see 75 CONG. REC. 11759, 72d Cong. 1st Sess., June 1, 1932).

No reservation of objection may be entertained during the call of the Private Calendar (see Rule XXIV clause 6, *House Rules and Manual* §893 (1995)). Before that prohibition was added to the rules, the Speaker would on occasion invoke the five-minute rule in order to prevent prolonged discussion under a reservation of a right to object (see, for example, 78 CONG. REC. 2364, 73d Cong. 2d Sess., Feb. 10, 1934).

**taken out of the time of the Member with the floor, except for points of order.**

On Apr. 8, 1937,<sup>(19)</sup> Mr. Arthur H. Greenwood, of Indiana, had the floor, having called up by direction of the Committee on Rules a privileged resolution. Mr. Carl E. Mapes, of Michigan, asked Mr. Greenwood to yield for the propounding of a parliamentary inquiry. Speaker William B. Bankhead, of Alabama, advised as follows on the consumption of time for interruptions:

MR. MAPES: Mr. Speaker, will the gentleman yield so that I may submit a parliamentary inquiry, not to be taken out of the gentleman's time?

MR. GREENWOOD: I yield for that purpose.

THE SPEAKER: If the gentleman yields, it comes out of his time.

MR. GREENWOOD: Then I prefer to make my statement. I will not yield for that purpose at this time.

THE SPEAKER: The Chair will state to the gentleman from Michigan [Mr. Mapes] that the only exception where interruptions are not taken out of the time of the speaker is on points of order.

*Parliamentarian's Note:* When a Member with the floor yields, the time consumed by the interruption is charged to his time.<sup>(20)</sup>

19. 81 CONG. REC. 3283, 75th Cong. 1st Sess.

20. For yielding time, see §29, supra.

Where, however, he is taken off his feet by a point of order, quorum call, or reservation of objection, the time consumed thereby is not charged to his time.<sup>(1)</sup>

**§ 67.8 Where debate has been limited to a specified number of minutes, time is counted only during debate, not during quorum calls.**

On Aug. 4, 1966,<sup>(2)</sup> Majority Leader Carl Albert, of Oklahoma, sought unanimous consent that debate on a pending motion to strike a title of a bill in Committee of the Whole be limited to 30 minutes. Chairman Richard Bolling, of Missouri, then answered a parliamentary inquiry on the effect of a quorum call on that time.

MR. [DURWARD G.] HALL [of Missouri]: Mr. Chairman, is my under-

1. For interruptions of the Member with the floor, see § 32, supra.

When a Member with the floor suspends temporarily for the reception of a message or conference report or other pressing legislative business, the time consumed by the interruption is not charged to his time. See, for example, § 73.19, *infra*, where a Member occupying the floor for a "special-order speech" suspended for a motion to suspend the rules and consumed the remainder of his time following adoption of the motion.

2. 112 CONG. REC. 18207, 89th Cong. 2d Sess.

standing correct that the unanimous consent request propounded by the distinguished majority leader would preclude a quorum call prior to the first order of business and the 30 minutes before the vote?

THE CHAIRMAN: The Chair will reply to the gentleman that if there is no quorum present any Member at any time can make a point of order. In other words, it will not preclude a quorum call.

MR. HALL: A further parliamentary inquiry, Mr. Chairman. Would that time come out of the 30 minutes allotted for debate?

THE CHAIRMAN: It would not.

*Parliamentarian's Note:* Time consumed by votes and quorum calls is not counted where the time limit for debate is a specified number of minutes or hours, as distinguished from a time certain by the clock. Thus, when debate has been limited "to 30 minutes," time is counted only during debate, not during quorum calls. Likewise, in such cases, if an amendment is read during debate, the time consumed by the reading of amendments is not taken from that remaining for debate. But where time for debate has been fixed to time certain, i.e., 4:15 p.m., the time for parliamentary inquiries, rereading of amendments, points of order, etc., is taken from time remaining, thus reducing the time for debate available to Members thereafter.<sup>(3)</sup>

3. For the effect of different types of limitations on five-minute debate in

***Debate Time Fixed at "One Day"***

**§ 67.9** Where debate on a bill is fixed by special order at one day, the term "one day" means one legislative day as terminated by adjournment.

On Aug. 17, 1949, the House adopted House Resolution 327, providing for general debate not to exceed one day in the Committee of the Whole on H.R. 5895, furnishing military assistance to foreign nations. When the House had resolved itself into the Committee of the Whole for consideration of the bill, Chairman Wilbur D. Mills, of Arkansas, answered a parliamentary inquiry on the meaning of the term "one day":

THE CHAIRMAN: Under the rule general debate will be equally divided and will not exceed one day.

MR. [JOSEPH P.] O'HARA of Minnesota: Mr. Chairman, a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state it.

MR. O'HARA of Minnesota: What is meant by the term "one day"?

THE CHAIRMAN: The term means one legislative day as terminated by adjournment, from now until the time the House adjourns.<sup>(4)</sup>

the Committee of the Whole, see § 79, *infra*. Although limitations are often set by the clock in the Committee of the Whole, time in the House for debate is customarily fixed at a certain number of minutes.

4. 95 CONG. REC. 11666, 81st Cong. 1st Sess.

***Member's Time Lapses When He Loses the Floor***

**§ 67.10** A Member in control of time under the hour rule may yield portions of his time to others; but if he surrenders the floor before fulfilling his commitments to yield, all time remaining available to him under the hour—his own as well as that promised or yielded to others—lapses.

On Nov. 29, 1967,<sup>(5)</sup> Mr. William R. Anderson, of Tennessee, called up by direction of the Committee on Rules House Resolution 960, a privileged resolution authorizing travel by Members of the Committee on Education and Labor for investigatory purposes, and yielded 30 minutes to the minority Member handling the resolution, Mr. Smith of California. Mr. Anderson yielded to Mr. Durward G. Hall, of Missouri, to offer an amendment, thereby surrendering control of the resolution to Mr. Hall. When Speaker Pro Tempore Carl Albert, of Oklahoma,

Where debate time in the Committee of the Whole is fixed at two legislative days, the Chair does not determine when each day is complete; the Committee so determines by rising. See § 74.9, *infra*.

5. 113 CONG. REC. 34136-38, 90th Cong. 1st Sess.

stated that the question was on the resolution, a parliamentary inquiry was stated:

MR. [H. ALLEN] SMITH of California: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER PRO TEMPORE: The gentleman will state the parliamentary inquiry.

MR. SMITH of California: I was yielded 30 minutes a while ago by the gentleman from Tennessee [Mr. Anderson]. Do I not have that time?

THE SPEAKER PRO TEMPORE: When the gentleman from Tennessee [Mr. Anderson] yielded to the gentleman from Missouri [Mr. Hall] for the purpose of offering an amendment, he surrendered all his time, and the Chair so informed the gentleman from Tennessee.

MR. SMITH of California: If the gentleman has agreed to yield 30 minutes to me, I lose it?

THE SPEAKER PRO TEMPORE: When the gentleman yielded for the purpose of amendment.

**§ 67.11 Where the Member in charge of a resolution in the House yields to another for the purpose of offering an amendment he loses control of the floor and the sponsor of the amendment is given control for an hour.**

On Mar. 27, 1945,<sup>(6)</sup> Mr. Edward E. Cox, of Georgia, the manager of a resolution (H. Res. 195), was recognized and moved the

6. 91 CONG. REC. 2861, 2862, 79th Cong. 1st Sess.

previous question, which was ordered. Discussion then ensued on an agreement made by Mr. Cox with Mr. Clinton P. Anderson, of New Mexico, that before the resolution was voted on an amendment to the resolution would be considered. Mr. Cox therefore moved to reconsider the vote on the previous question, and the previous question was reconsidered and rejected.

Mr. Cox then yielded to Mr. Anderson to offer an amendment to the resolution. At that point, Speaker Sam Rayburn, of Texas, answered a parliamentary inquiry:

MR. [EARL C.] MICHENER [of Michigan]: Mr. Speaker, the acting chairman of the Committee on Rules having yielded for the offering of an amendment, as I understand the rule, the gentleman from New Mexico now has 1 hour, and the gentleman from Georgia has lost the floor.

THE SPEAKER: The gentleman is correct.<sup>(7)</sup>

**§ 67.12 If a Member recognized to control one hour on a motion to refer a vetoed bill yields the remainder of his time without moving the previous question, another**

7. See also 102 CONG. REC. 12922, 12923, 84th Cong. 2d Sess., July 16, 1956; and 100 CONG. REC. 2282, 83d Cong. 2d Sess., Feb. 25, 1954.

**Member is recognized for one hour.**

On Oct. 10, 1940,<sup>(8)</sup> Speaker Sam Rayburn, of Texas, laid before the House a veto message from the President. Mr. Samuel Dickstein, of New York, moved that the message and the bill be referred to a House committee. He was recognized for one hour by the Speaker, delivered some remarks, and then stated "I yield back the balance of my time." Mr. John E. Rankin, of Mississippi, asked for recognition in opposition to the motion, and the Speaker inquired of Mr. Dickstein whether he yielded. When Mr. Dickstein stated that he had yielded the floor, Mr. Rankin was recognized for one hour. Mr. Dickstein then objected that he had not meant to surrender the floor, and the Speaker stated that he had affirmatively done so.

**§ 67.13 A Member having yielded the floor without moving the previous question after making a motion in the House, another Member seeking recognition was recognized for one hour.**

On July 5, 1945,<sup>(9)</sup> Mr. Malcolm C. Tarver, of Georgia, offered a

8. 86 CONG. REC. 13522-24, 76th Cong. 3d Sess.

9. 91 CONG. REC. 7220-25, 79th Cong. 1st Sess.

motion to correct the permanent Record, in order to accurately reflect a colloquy between himself and Mr. John E. Rankin, of Mississippi. Mr. Tarver discussed his motion and then yielded the floor without moving the previous question. Speaker Sam Rayburn, of Texas, recognized Mr. Rankin for one hour.

***Unfinished Business and Resuming Debate***

**§ 67.14 When the consideration of unfinished business resumes in the House, debate does not begin anew but recommences from the point where it was interrupted.**

The following proceedings occurred in the House on June 10, 1980:<sup>(10)</sup>

THE SPEAKER:<sup>(11)</sup> The unfinished business is the further consideration of the resolution (H. Res. 660) in the matter of Representative Charles H. Wilson.

The Clerk will report the resolution.

The Clerk read the resolution as follows:

*Resolved,*

(1) That Representative Charles H. Wilson be censured;

(2) That Representative Charles H. Wilson be denied the chair on any committee or subcommittee of the House of Representatives. . . .

10. 126 CONG. REC. 13801, 96th Cong. 2d Sess.

11. Thomas P. O'Neill, Jr. (Mass.).

THE SPEAKER: Pursuant to the rules of the House and the unanimous-consent agreement, the gentleman from Florida (Mr. Bennett) has 12 minutes remaining, the gentleman from South Carolina (Mr. Spence), has 8 minutes remaining; the gentleman from California (Mr. Charles H. Wilson), or his designee has 1 hour remaining.

### ***Debate Under Statutory Provisions***

#### **§ 67.15 Under section 604(h) of Public Law 93-198, debate on a concurrent resolution disapproving an action by the District of Columbia City Council can be limited by motion, but otherwise extends not to exceed 10 hours.**

During consideration of House Concurrent Resolution 228 (disapproving the Location of Chanceries Amendment Act) in the House on Dec. 20, 1979,<sup>(12)</sup> the following proceedings occurred:

MR. [FORTNEY H.] STARK [of California]: Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 63) to disapprove the Location of Chanceries Amendment Act of 1979 passed by the City Council of the District of Columbia, and ask for its immediate consideration.

The Clerk read the title of the Senate concurrent resolution. . . .

THE SPEAKER PRO TEMPORE:<sup>(13)</sup> Does the gentleman from Ohio (Mr. Ashbrook) reserve the right to object?

12. 125 CONG. REC. 37299, 37303, 37304, 96th Cong. 1st Sess.

13. George E. Danielson (Calif.).

MR. [JOHN M.] ASHBROOK [of Ohio]: I reserve the right to object, Mr. Speaker.

MR. STARK: Mr. Speaker, I thank the gentleman.

Mr. Speaker, I have requested this procedure because the alternate procedure is a privileged motion which is at the desk which allows up to 10 hours of debate, which is the identical motion, and it would take the House some more time.

I would be glad to yield to any Member under the other debate procedure and allow every Member time for debate. I would hope to save the House time, and I would urge the gentleman to allow us to call up the Senate resolution.

MR. ASHBROOK: Mr. Speaker, I will still object.

THE SPEAKER PRO TEMPORE: Objection is heard.

MR. STARK: Mr. Speaker, under the home rule statute (Public Law 93-198, sec. 604(g)), I move to proceed to the immediate consideration of House Concurrent Resolution 228 as a privileged resolution and ask unanimous consent that general debate thereon be limited to one-half hour, to be equally divided between the gentleman from Virginia and myself.

The Clerk read the title of the concurrent resolution.

THE SPEAKER PRO TEMPORE: The question is on consideration of the concurrent resolution.

The motion to consider the House concurrent resolution was agreed to.

THE SPEAKER PRO TEMPORE: Is there objection to the request offered by the gentleman from California (Mr. Stark) to limit debate to one-half hour?

MR. [ROBERT E.] BAUMAN [of Maryland]: Mr. Speaker, reserving the right to object, we have already had the debate. I do not know why the gentleman needs a half hour, frankly.

MR. STARK: Mr. Speaker, will the gentleman yield?

MR. BAUMAN: I yield to the gentleman from California.

MR. STARK: Mr. Speaker, it is to accommodate anybody who has not had an opportunity to speak on the issue.

MR. BAUMAN: I think 10 hours is worth it on this.

I object.

THE SPEAKER PRO TEMPORE: Objection is heard.

MR. STARK: Mr. Speaker, I ask unanimous consent that general debate be limited to 20 minutes, to be divided between myself and the gentleman from Virginia.

THE SPEAKER PRO TEMPORE: Is there objection to the request of the gentleman from California?

MR. [ROMANO L.] MAZZOLI [of Kentucky]: Mr. Speaker, I object.

THE SPEAKER PRO TEMPORE: Objection is heard.

MR. STARK: Mr. Speaker, I move that debate on the concurrent resolution be limited to 20 minutes.

THE SPEAKER PRO TEMPORE: The question is on the motion offered by the gentleman from California. . . .

[T]he motion was agreed to.

THE SPEAKER PRO TEMPORE: Under the motion, there are 20 minutes for debate. The gentleman from California (Mr. Stark) will be recognized for 10 minutes, and the gentleman from Virginia (Robert W. Daniel, Jr.) will be recognized for 10 minutes.

**al Budget Act of 1974 (Public Law 93-344, amended by Public Law 95-523), the four hours' debate on economic goals and policies in Committee of the Whole on the first concurrent resolution on the budget must be consumed in its entirety or yielded back before the remaining time for general debate on the resolution may be resumed.**

During consideration of House Concurrent Resolution 115 (pertaining to the congressional budget) in the Committee of the Whole on May 1, 1981,<sup>(14)</sup> the Chair made a statement as to procedures for debate, as follows:

THE CHAIRMAN PRO TEMPORE:<sup>(15)</sup> The gentleman from California (Mr. Hawkins) has 8 minutes remaining. The rules are that the gentleman must complete his time on economic policies before the general debate continues, controlled by Mr. Latta and Mr. Jones of Oklahoma on the budget resolution generally.

MR. [AUGUSTUS F.] HAWKINS [of California]: Mr. Chairman, I yield back the balance of my time.

THE CHAIRMAN PRO TEMPORE: All the time has expired on economic goals and policies.

The Chair recognizes the gentleman from Oklahoma (Mr. Jones).

14. 127 CONG. REC. 8165, 97th Cong. 1st Sess.

15. Charles E. Bennett (Fla.).

**§ 67.16 Pursuant to section 305(a)(3) of the Congression-**

MR. [JAMES R.] JONES of Oklahoma: Mr. Chairman, I yield 1 hour to the gentleman from Missouri (Mr. Gephardt).

### ***Extending Debate by Unanimous Consent***

#### **§ 67.17 By unanimous consent, further debate may be permitted on a motion to instruct conferees on which the previous question has been ordered.**

During consideration of a motion to instruct House conferees on the conference with the Senate on H.R. 3919 (crude oil windfall profits tax) on Feb. 20, 1980,<sup>(16)</sup> the following proceedings occurred:

MR. [NORMAN E.] D'AMOURS [of New Hampshire]: Mr. Speaker, I offer a motion.

THE SPEAKER: The Clerk will report the motion.

The Clerk read as follows:

Mr. D'Amours moves that, pursuant to the provisions of clause 1(b) of Rule XXVIII, the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 3919 be instructed to agree to the provisions contained in parts 1, 2 and 4 of title II of the Senate amendment to the text of the bill.

THE SPEAKER PRO TEMPORE:<sup>(17)</sup> The gentleman from New Hampshire (Mr.

16. 126 CONG. REC. 3322, 3337, 96th Cong. 2d Sess.

17. Benjamin S. Rosenthal (N.Y.).

D'Amours) is recognized for 1 hour. . . .

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

MR. [CLARENCE J.] BROWN of Ohio: Mr. Speaker, I have a parliamentary inquiry. . . . [T]here may have been some confusion on the last vote, given what appeared on the screens in Members' offices. . . .

This question . . . we will vote on now is a vote on the motion to instruct the conferees?

THE SPEAKER PRO TEMPORE: The question that will occur now is on the motion to instruct the conferees.

(By unanimous consent Mr. Gibbons was allowed to speak out of order.)

MR. [SAM M.] GIBBONS [of Florida]: Mr. Speaker, I cannot believe the last vote. It is absolutely astounding.

What my colleagues voted for was to instruct the conferees to throw away \$26 billion on some tax credits of doubtful value. . . .

But, please, do not instruct us. We are about to complete this conference. We are about to get things wound up and get it out here where we can either accept it or reject it.

### **§ 68. The Hour Rule**

Rule XIV clause 2 provides for a one-hour limitation on debate in the House and in Committee of the Whole:

. . . and no Member shall occupy more than one hour in debate on any