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THE CHAIRMAN: The Chair is following regular order. . . .

MR. SYMMS: Is it regular order to seek recognition under a preferential motion?

THE CHAIRMAN: The Chair will state that under the parliamentary procedure the entire bill is under debate. The Chair is following regular order.

§ 39. —General Debate in Committee of the Whole

Relevancy Not Required in General Debate Under General Rules

§ 39.1 A Member is not required to confine himself to the subject matter of the pending bill during general debate in the Committee of the Whole unless a special rule provides otherwise.

On Apr. 9, 1957,[19] Mr. Noah M. Mason, of Illinois, rose to make a point of order that Mr. Clarence Cannon, of Missouri, who was addressing the Committee of the Whole, was speaking about the Postmaster General and not confining his remarks to the bill then under discussion, H.R. 6700, the Department of Commerce and related agencies appropriation bill. Mr. Cannon countered that there was no rule confining debate to the subject matter of the pending bill in general debate in the Committee. Chairman Brooks Hays, of Arkansas, ruled as follows:

. . . The Chair is not aware of any rule that requires discussion during general debate to be restricted to the bill. It is only where a special rule limits debate to the subject of the bill that the speaker is restricted to the provisions of the bill.

MR. MASON: Then we are considering this bill without a rule from the Rules Committee which would limit debate to the bill; is that it?

THE CHAIRMAN: That is correct, the Chair will advise the gentleman; consequently, there is no limitation in general debate on an appropriation bill.[20]

On May 13, 1948,[21] while the Committee of the Whole was sitting, the following ruling by Chairman Charles B. Hoeven, of Iowa, was made in response to a point of order by Mr. Leon H. Gavin, of Pennsylvania:

I wish to ask the Chairman what legislation we are discussing. What good bill is before the House?

THE CHAIRMAN: The House is in the Committee of the Whole in general de-

19. 103 CONG. REC. 5360, 85th Cong. 1st Sess.

20. Where a special rule confines debate in the Committee of the Whole to the bill under consideration, unanimous consent is required to speak to another subject (see §§ 37.3, 37.4, supra).

21. 94 CONG. REC. 5802, 80th Cong. 2d Sess.

bate on the bill H.R. 6500 [legislative branch appropriation bill of 1949]. The gentleman from Missouri has been recognized for 5 minutes and his time has not expired.

MR. GAVIN: Mr. Chairman, I make the point of order that the gentleman is not discussing the bill under consideration. It is time we got back to a discussion of this bill. We have taken too much time on extraneous matters.

THE CHAIRMAN: The Chair will state that under general debate, the debate is not confined to the bill.

The point of order is overruled.

§ 39.2 General debate in Committee of the Whole House on the State of the Union need not relate to the bill under consideration in the absence of a special rule or a unanimous-consent agreement requiring general debate to be confined to the bill; thus, during general debate on a general appropriation bill in Committee of the Whole, a Member may discuss any subject relating to the state of the Union.

On June 28, 1974,[1] during consideration of the District of Columbia appropriation bill,[2] the Chair overruled a point of order as follows:

MR. [C. W.] YOUNG of Florida: Mr. Chairman, it is my intention to speak out of order at this time. I regret that I must use this procedure to continue a debate that was begun earlier, but the 2 minutes that were offered to me at that time were just not sufficient to cover the material.

MR. [BILL D.] BURLISON of Missouri: Mr. Chairman, a point of order.

THE CHAIRMAN:[3] The gentleman from Missouri will state it.

MR. BURLISON of Missouri: I do not believe the gentleman is speaking on the matter under consideration.

THE CHAIRMAN: The Chair is prepared to rule. Under the precedents and under present unanimous-consent agreement governing the general debate on the pending bill, there is no limitation on matters which may be discussed in the Committee of the Whole. If the Committee of the Whole, operating under a rule from the Committee on Rules which limited debate to consideration of the subject matter of the bill, the gentleman's point of order would be in order.

The point of order at this time is not in order, and the Chair overrules the point of order.

MR. YOUNG of Florida: Mr. Chairman, I rise as one Member of this House, one of a very few, in fact, maybe the only one who has ever been personally involved in an impeachment procedure from the time that it was first initiated in a State House of Representatives until the time that it was disposed of in the State Senate.

Parliamentarian's Note: Because general appropriation bills are privileged for consideration in Committee of the Whole under

1. 120 CONG. REC. 21743, 21744, 93d Cong. 2d Sess.
2. H.R. 15581.
3. Dante B. Fascell (Fla.).

Rule XI, and since the unanimous-consent request limiting and dividing control of general debate did not confine debate to the bill, the principle of wide latitude for debate as established in 8 Cannon's Precedents § 2590 was applicable in this instance.

On District of Columbia Day

§ 39.3 General debate in the Committee of the Whole House on the State of the Union on District of Columbia Day is not limited to the subject matter of the pending bill.

On June 14, 1937,[4] while the Committee of the Whole was considering District of Columbia legislation on cosmetology (H.R. 6869), and Mr. Howard W. Smith, of Virginia, had the floor, Mr. Everett M. Dirksen, of Illinois, rose to a point of order that Mr. Smith was addressing himself to a matter that had already been disposed of and was not confining his remarks to the bill then under consideration. Chairman Sam D. McReynolds, of Tennessee, ruled as follows:

> The gentleman is mistaken. We are not under unanimous consent. We are under the general rules of the House, and the gentleman from Maryland has 1 hour and he has yielded 5 minutes to the gentleman from Virginia, who can talk about whatever he pleases.[5]

On Apr. 22, 1940,[6] the Committee of the Whole House on the State of the Union was considering on District of Columbia Day H.R. 8980, a tax bill for the District of Columbia. During debate on the bill, Mr. Clare E. Hoffman, of Michigan, had the floor and was discussing matters related to the civil service, the coming war, and the decisions of the Supreme Court. Mr. Jack Nichols, of Oklahoma, arose to make a point of order:

> Mr. Chairman, I make the point of order that the gentleman is not proceeding in order. I presume the gentleman is entitled to this hour by reason of the fact that he is in opposition to the bill which is being considered. If I am not correct in that I would like to have the Chair correct me, but if I am correct, then I think the gentleman's remarks should be confined to the subject matter of the bill.
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> THE CHAIRMAN:[7] The point of order is overruled. The gentleman will proceed.

Budget Resolution

§ 39.4 During the four hours of general debate on economic

4. 81 CONG. REC. 5670, 75th Cong. 1st Sess.

5. For the consideration of District of Columbia business on second and fourth Mondays, see Rule XXIV clause 8, *House Rules and Manual* § 899 (1995).

6. 86 CONG. REC. 4871, 4872, 76th Cong. 3d Sess.

7. R. Ewing Thomason (Tex.).

goals and policies provided for on a concurrent resolution on the budget by section 305(a)(3) of the Congressional Budget Act of 1974, the debate must be confined to the subject of such goals and policies.

On Apr. 23, 1980,[8] during consideration of the congressional budget for fiscal years 1981, 1982, and 1983 (H. Con. Res. 307) in the Committee of the Whole, the Chair responded to parliamentary inquiries relating to the scope of debate on the matter. The proceedings were as follows:

THE CHAIRMAN:[9] Pursuant to section 305(a), title 3, of Public Law 93–344, as amended, of the Congressional Budget Act of 1974, the gentleman from Connecticut (Mr. Giaimo) will be recognized for 5 hours, and the gentleman from Ohio (Mr. Latta) will be recognized for 5 hours.

After opening statements by the chairman and ranking minority member of the Committee on the Budget, the Chair will recognize the gentleman from Connecticut (Mr. Giaimo) and the gentleman from Ohio (Mr. Latta) for 2 hours each to control debate on economic goals and policies. After these 4 hours of debate have been consumed or yielded back, the Chair will recognize the chairman and ranking minority member of the Committee on the Budget to control the remainder of their 10 hours of debate.

The Chair recognizes the gentleman from Connecticut (Mr. Giaimo). . . .

THE CHAIRMAN PRO TEMPORE: The gentleman has consumed 45 minutes. The Chair will now recognize the gentleman from Connecticut (Mr. Giaimo) and the gentleman from Ohio (Mr. Latta) for 2 hours each to control debate on economic goals and policies.

MR. [ROBERT E.] BAUMAN [of Maryland]: Mr. Chairman, I have a parliamentary inquiry.

THE CHAIRMAN PRO TEMPORE: The gentleman will state his parliamentary inquiry.

MR. BAUMAN: Mr. Chairman, as I understand the statutory requirements, the debate now will be confined to economic policy and goals; is that correct?

THE CHAIRMAN PRO TEMPORE: That is correct.

MR. BAUMAN: What if a Member strays from that and starts talking about other things, should other Members make points of order and point out that they are out of order? I mean, I do want to do this under the rule.

THE CHAIRMAN PRO TEMPORE: The Chair would have to interpret at that time whether they were within the bounds of the rule or not, and the rules relating to relevancy in debate would apply.

Under Special Rule Confining Debate "to the Bill"

§ 39.5 Where a special rule provided for the chairman of the Committee on International

8. 126 CONG. REC. 8809, 8815, 96th Cong. 2d Sess.
9. Richard Bolling (Mo.).

Relations to designate Members to equally divide and control two extra hours of general debate on a bill in Committee of the Whole, the chairman of said committee informed the Chairman of the Committee of the Whole of his designation of himself, another Member of the majority party and two Members of the minority party to control one-half hour each; and the Chairman of the Committee of the Whole advised that such debate was not required by the rule to be confined to any particular issue, but to the bill as a whole.

On July 31, 1978,[10] Mr. Clement J. Zablocki, of Wisconsin, the Chairman of the Committee on International Relations, made a statement as to the division of control of time for debate pursuant to a special rule providing for two extra hours of debate on H.R. 12514, foreign aid authorizations for fiscal 1979. The intent behind requesting the extra hours had been to afford debate directed at the Turkish arms embargo issue, but the rule properly omitted any reference to the scope of debate, other than the requirement that all general debate be confined to the bill.

MR. ZABLOCKI: Mr. Chairman, under the rule, it is my understanding that the 1 hour for general debate on the entire bill, that that hour is equally divided between myself and the ranking minority member, the gentleman from Michigan (Mr. Broomfield).

Then the 2 hours that the rule provides for the Greek-Turkey-Cyprus issue, that there be 1 hour in support of lifting the embargo and 1 hour in opposition, and that the hour in support would be divided between myself and the gentleman from Michigan (Mr. Broomfield), and those in opposition to lifting the embargo would be managed by the gentleman from Florida (Mr. Fascell) and the gentleman from Illinois (Mr. Derwinski).

THE CHAIRMAN:[11] The Chair will respond to the gentleman from Wisconsin (Mr. Zablocki) that the Chair has been informed that the gentleman from Wisconsin has designated the gentleman from Florida (Mr. Fascell) for 1 hour, and also the gentleman from Illinois (Mr. Derwinski) for 1 hour. The rule, of course, does not confine any such debate to the embargo issue alone.

F. DISORDER IN DEBATE

§ 40. In General

Order in debate is governed by numerous rules and practices of the House. Proceeding in order in

10. 124 CONG. REC. 23456, 23457, 95th Cong. 2d Sess.

11. Don Fuqua (Fla.).