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on those portions of the pending amendment of the gentlewoman from Oregon (Mrs. Green) to section 403 and section 406. . . .

Subsequently, votes were taken in the following order:

THE CHAIRMAN: . . . The question is on that portion of the amendment relating to section 403 of the amendment offered by the gentlewoman from Oregon (Mrs. Green).

Such portion of the amendment was agreed to. . . .

THE CHAIRMAN: The question is on that portion of the amendment relating to section 406 of the amendment offered by the gentlewoman from Oregon (Mrs. Green).

Such portion of the amendment was agreed to. . . .

THE CHAIRMAN: The question is on the remainder of the amendment offered by the gentlewoman from Oregon (Mrs. Green).

The remainder of the amendment was agreed to.

Parliamentarian's Note: Rejection of a portion of an amendment on a division of the question should be distinguished from the situation where an amendment to an amendment, striking out a portion thereof, is agreed to. In the latter event, the question would recur on the original amendment, as amended, but where a portion of an amendment is rejected on a separate vote, the question merely recurs on the remainder of the amendment.

§ 23. Order of Consideration Generally

The four forms of amendment permitted by Rule XIX may be pending simultaneously. They must, however, be voted on in a definite sequence, as follows: (1) amendments to the amendment, if any, are disposed of first, seriatim, until the amendment is perfected; (2) amendments to the substitute are next voted on, seriatim, until the substitute is perfected; (3) the substitute is next voted on; (4) the amendment is voted on last, so that if the substitute has been agreed to, the vote is on the amendment as amended by the substitute.[18] Thus, where there is pending in the House an amendment, a substitute therefor and an amendment to the substitute, the vote is

18. See, for example, 108 CONG. REC. 13415, 87th Cong. 2d Sess., July 12, 1962 (response of Chairman Wilbur D. Mills [Ark.] to the parliamentary inquiry by Mr. Hale Boggs [La.], during consideration of H.R. 11921).

The order in which amendments are to be voted on is prescribed by Rule XIX, *House Rules and Manual* Sec. 822 (101st Cong.).

Amendments to a bill reported by a standing committee are taken up in Committee of the Whole in proper sequence and not as shown in the reported bill when, through error, the standing committee submitted them for printing in improper order. 112 CONG. REC. 8428, 89th Cong. 2d Sess., Apr. 19, 1966.

first taken on the amendment to the substitute, then on the substitute as amended, and then on the amendment as amended by the substitute; and defeat of the amendment as amended by the substitute results in the rejection of the language included in the substitute as amended.[19] Where the House has adopted a special rule permitting the consideration of amendments in Committee of the Whole only in a prescribed order, the Committee of the Whole must rise to permit the House, by unanimous consent, to change the order of consideration of certain amendments in Committee of the Whole. (Only the House, and not the Committee of the Whole, may by unanimous consent alter the terms of a special rule previously agreed to by the House.)[20]

In General

§ 23.1 Where there was pending in Committee of the Whole an amendment, an amendment thereto, a substitute therefor and an amendment to the substitute, the Chairman indicated that the vote would first be taken on the amendment to the original amendment, then on the amendment to the substitute, then on the substitute, and finally on the original amendment (as amended).

On May 6, 1970,[21] the following proceedings took place:

THE CHAIRMAN:[1] The first amendment to be voted on will be the amendment offered by the gentleman from New York (Mr. Bingham) to the amendment offered by the gentleman from New York (Mr. Reid).

MR. [PAUL] FINDLEY [of Illinois]: Mr. Chairman, a further parliamentary inquiry.

THE CHAIRMAN: The gentleman will state his parliamentary inquiry.

MR. FINDLEY: Then, I further suggest that the Bingham amendment be defeated, and as I understand the parliamentary situation, assuming that the Bingham amendment is defeated, the next vote will be on the Leggett amendment. Am I correct on that?

THE CHAIRMAN: The gentleman is correct; to the substitute offered by the gentleman from Illinois.

MR. FINDLEY: And then next will be the substitute which I offered?

19. See 119 CONG. REC. 21320, 93d Cong. 1st Sess., June 26, 1973 (proceedings during consideration of H.J. Res. 636, including response of Speaker Carl Albert [Okla.] to parliamentary inquiry by Mr. Sidney R. Yates [Ill.].

20. For discussion of special rules and their effect generally, see § 3, supra.

21. 116 CONG. REC. 14424, 91st Cong. 2d Sess. Under consideration was H.R. 17123.

1. Daniel D. Rostenkowski (Ill.).

THE CHAIRMAN: The gentleman is correct.

§ 23.2 Where there was pending an amendment, a substitute therefor and an amendment to the substitute, the Chair indicated in response to a parliamentary inquiry that the vote would first be taken on the amendment to the substitute, then on the substitute as amended, and finally on the amendment as amended by the substitute.

On June 5, 1974,[2] during consideration in the Committee of the Whole of the bill H.R. 14747 (to amend the Sugar Act of 1948), a parliamentary inquiry was addressed to the Chair as set out below:

MR. [HAROLD R.] COLLIER [of Illinois]: Mr. Chairman, a parliamentary inquiry. Is the new Ford proposal an amendment to the amendment, since there is already an amendment with a pending substitute before the House?

THE CHAIRMAN:[3] The new Ford amendment is an amendment to the substitute. . . .

MR. COLLIER: Then the parliamentary situation in voting on this would be what?

THE CHAIRMAN: The Members will vote on the amendment to the substitute first, and then vote on the substitute, as amended.

MR. COLLIER: And then there would be a vote on the substitute amendment, as amended?

THE CHAIRMAN: That is correct.

§ 23.3 Where there were pending in Committee of the Whole an amendment in the form of a new section, an amendment thereto and a substitute therefor, the Chairman indicated that the vote would first be taken on the amendment to the amendment and then on the substitute.

On June 17, 1971,[4] The following exchange took place:

MR. [CHARLES S.] GUBSER [of California]: Could the Chair inform the gentleman regarding the order in which votes might come, assuming that no other amendments or substitutes are offered at this time?

THE CHAIRMAN:[5] The first vote would come on the Robison amendment to the Nedzi-Whalen amendment.

MR. GUBSER: Then, if that vote fails, the vote would come on the Mink substitute?

THE CHAIRMAN: That is right.

§ 23.4 Where there is pending an amendment, an amend-

2. 120 CONG. REC. 17872, 93d Cong. 2d Sess.

3. James J. Burke (Mass.).

4. 117 CONG. REC. 20553, 92d Cong. 1st Sess. Under consideration was H.R. 8687.

5. Daniel D. Rostenkowski (Ill.).

ment thereto and a substitute therefor, the vote is taken on the amendment to the amendment before the vote recurs on the substitute.

On Sept. 26, 1973,[6] the following proceedings took place:

MR. [WILLIAM J.] KEATING [of Ohio]: Mr. Chairman, will the vote be on the amendment offered as a substitute by the gentleman from Texas to the amendment offered by the gentleman from New Jersey (Mr. Rodino)?

THE CHAIRMAN:[7] The Chair will state that there is a perfecting amendment to the amendment offered by the gentleman from New Jersey (Mr. Rodino). The first question occurs on the perfecting amendment to the amendment. Thereafter the vote will occur on the amendment offered by the gentleman from Texas (Mr. Gonzalez), as a substitute for the amendment offered by the gentleman from New Jersey (Mr. Rodino).

If the substitute amendment is agreed to, the vote will recur on the original amendment, as amended. If the substitute fails, the vote will then occur on the amendment offered by the gentleman from New Jersey (Mr. Rodino) in the form in which it was offered.

§ 23.5 Where the four amendments permitted under Rule XIX are pending, the amendment is perfected before the substitute.

On July 12, 1962,[8] The following proceedings took place:

MR. [HALE] BOGGS [of Louisiana]: I would appreciate it if the Chair would explain exactly what the voting situation is on the amendment offered by the gentleman from Texas [Mr. Casey], the amendment offered by the gentleman from Pennsylvania [Mr. Morgan], the substitute offered by the gentleman from Ohio, and the amendment to the substitute.

THE CHAIRMAN:[9] If the gentleman from Louisiana would permit the Chair to respond to the parliamentary situation, the Chair would advise that the vote first will occur on the amendment offered by the gentleman from Pennsylvania [Mr. Morgan] to the amendment offered by the gentleman from Texas [Mr. Casey]. The next vote will occur on the amendment offered by the gentleman from New Jersey [Mr. Frelinghuysen] to the substitute amendment offered by the gentleman from Ohio [Mr. Feighan]. The next vote will occur on the substitute offered by the gentleman from Ohio [Mr. Feighan]. The last vote then occurs on the Casey amendment.

MR. BOGGS: That is, provided the amendment in the nature of a substitute offered by the gentleman from Ohio as amended by the gentleman from New Jersey is voted down?

6. 119 CONG. REC. 31463, 93d Cong. 1st Sess. Under consideration was H.R. 981.

7. Brock Adams (Wash.).

8. 108 CONG. REC. 13415, 87th Cong. 2d Sess. Under consideration was H.R. 11921.

9. Wilbur D. Mills (Ark.).

THE CHAIRMAN: The vote finally occurs on the Casey amendment whether the substitute is agreed to or not. It would be the Casey amendment as amended by the substitute if the substitute is agreed to.

The question now occurs on the amendment offered by the gentleman from Pennsylvania [Mr. Morgan] to the amendment offered by the gentleman from Texas [Mr. Casey].

§ 23.6 The Chairman advised that should a pending amendment to an amendment be agreed to, the vote would then recur on the amendment, as amended.

On June 28, 1967,[10] the following proceedings took place:

MR. [WILLIAM F.] RYAN [of New York]: Mr. Chairman, if the amendment of the gentleman from Indiana [Mr. Roudebush] is adopted, will the House have an opportunity to vote on the amendment of the gentleman from Pennsylvania [Mr. Fulton]?

THE CHAIRMAN:[11] The Chair will state, in response to the parliamentary inquiry, that if the amendment of the gentleman from Indiana to the amendment of the gentleman from Pennsylvania is adopted, the vote will then recur on the amendment of the gentleman from Pennsylvania as amended by the amendment of the gentleman from Indiana.

§ 23.7 Where there was pending a committee amendment in the form of a new title, an amendment thereto and a substitute therefor, the first vote was on the amendment to the committee amendment, then on the substitute, and then on the committee amendment as it may have been amended.

On Apr. 6, 1977,[12] the Committee of the Whole having under consideration a bill,[13] the Chair responded to a parliamentary inquiry as described above:

THE CHAIRMAN:[14] The question is on the amendment offered by the gentleman from Massachusetts (Mr. Tsongas) to the committee amendment.

MR. [PAUL E.] TSONGAS: Mr. Chairman, I have a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state it.

MR. TSONGAS: Mr. Chairman, I believe it is in order that we vote first on the substitute offered by the gentleman from Ohio (Mr. Wylie), is it not?

THE CHAIRMAN: No. The Chair will state that the vote on the amendment to the committee amendment will occur first. Following that there will be a vote on the substitute for the committee amendment, as amended, if the amendment offered by the gentleman

10. 113 CONG. REC. 17748, 90th Cong. 1st Sess. Under consideration was H.R. 10340.

11. John J. Flynt, Jr. (Ga.).

12. 123 CONG. REC. 10773, 10774, 95th Cong. 1st Sess.

13. H.R. 5262, providing for increased participation by the United States in international financial institutions.

14. Robert Duncan (Oreg.).

from Massachusetts (Mr. Tsongas) to the committee amendment is adopted. Following that there will be a vote on the committee amendment, as it may have been amended.

§ 23.8 The question is first put on a perfecting amendment to an amendment, and then on a substitute for the original amendment, and if the substitute is adopted, the vote recurs immediately upon the original amendment as amended by the substitute, and further perfecting amendments are not in order.

On May 1, 1979,[15] during consideration of House Concurrent Resolution 107[16] in the Committee of the Whole, the Chair responded to a parliamentary inquiry concerning the order in which amendments would be voted upon, as described above. The proceedings were as follows:

> Amendment offered by Mr. [Paul] Simon [of Illinois]: In the matter relating to the appropriate level of total new budget authority increase the amount by $2,223,000,000;
>
> In the matter relating to the appropriate level of total budget outlays increase the amount by $1,522,000,000. . . .
>
> In the matter relating to Function 050—National Defense increase the amount for budget authority by $628,000,000; and increase the amount for outlays by $315,000,000. . . .
>
> In section (3);
>
> In the matter relating to Function 050—National Defense increase the amount for outlays by $166,000,000. . . .
>
> Amendment offered by Mr. Charles H. Wilson of California to the amendment offered by Mr. Simon: Strike out the amount by which the appropriate level of total new budget authority for fiscal year 1979 is proposed to be increased and insert in lieu thereof "$2,871,000,000". . . .
>
> Strike out the amount by which the amount for outlays for fiscal year 1979 for National Defense is proposed to be increased and insert in lieu thereof "$702,000,000". . . .
>
> MR. [JACK] EDWARDS of Alabama: Mr. Chairman, I offer an amendment as a substitute for the amendment.
>
> The Clerk read as follows:
>
> > Amendment offered by Mr. Edwards of Alabama as a substitute for the amendment offered by Mr. Simon: In the matter relating to the appropriate level of total new budget authority increase the amount by $1,122,368,000. . . .
> >
> > In Section 6(b):
> >
> > In the matter relating to Function 050 increase the amount for budget authority by $1,458,368,000; and increase the amount for outlays by $505,176,000. . . .
>
> MR. EDWARDS of Alabama: Mr. Chairman, very briefly, this amendment strikes all of the Simon amendment except for the defense function, and in that case it uses the Charles H.

15. 125 CONG. REC. 9299–9301, 9311, 96th Cong. 1st Sess.

16. The first concurrent resolution on the Budget, fiscal 1980.

Wilson of California amendment as the defense number. . . .

MR. [PETER A.] PEYSER [of New York]: Mr. Chairman, so that I understand the situation, if the Edwards substitute were to prevail and some Member had an amendment to the Simon amendment, we would not have a bill to amend at this time; is that correct? In other words, a Member would have to offer a totally separate amendment because this amendment is not speaking to the matters to which the Simon amendment spoke?

THE CHAIRMAN:[17] The Chair would like to advise the gentleman from New York (Mr. Peyser) that the first vote would come on the Charles H. Wilson of California amendment to the amendment offered by the gentleman from Illinois (Mr. Simon). The second vote would come on the substitute offered by the gentleman in the well, the gentleman from Alabama (Mr. Edwards), and if that substitute were adopted the vote would recur immediately without further amendment on the Simon amendment as amended by the substitute.

MR. PEYSER: I thank the Chair.

§ 23.9 Once a perfecting amendment to an amendment is disposed of, the original amendment, as amended or not, remains open to further perfecting amendment, and all such amendments are disposed of prior to voting on substitutes for the original amendment and amendments thereto.

On July 26, 1984,[18] during consideration of H.R. 11[19] in the Committee of the Whole, the proceedings described above occurred as follows:

The Clerk will report the amendment offered by the gentleman from Indiana (Mr. Coats).

The Clerk read as follows:

Amendment offered by Mr. Coats: Page 91, after line 14, insert the following new section (and redesignate the succeeding sections accordingly):

VOLUNTARY SCHOOL PRAYER

§ 806. Part B of the General Education Provisions Act is amended by inserting after section 420 (20 U.S.C. 1228) the following new section: . . .

MR. [STEVEN] GUNDERSON [of Wisconsin]: Mr. Chairman, I offer an amendment to the amendment.

MR. [DAN R.] COATS [of Indiana]: Mr. Chairman, I reserve a point of order on the amendment.

The Clerk read as follows:

Amendment offered by Mr. Gunderson to the amendment offered by Mr. Coats:

In Section 420A of the General Education Provisions Act (as proposed to be added by the amendment of the amendment of the gentleman from Indiana) strike out the first sentence and insert in lieu thereof the following: "No State or local educational agency shall deny individuals in public schools the opportunity to participate in moments of silent prayer.". . .

MR. [DUNCAN L.] HUNTER [of California]: Mr. Chairman, I offer an

17. William H. Natcher (Ky.).

18. 130 CONG. REC. 21231, 21251, 21253, 98th Cong. 2d Sess.

19. The education amendments of 1984.

amendment as a substitute for the amendment.

The Clerk read as follows:

> Amendment offered by Mr. Hunter as a substitute for the amendment offered by Mr. Coats: In lieu of the matter proposed to be inserted, insert the following:
>
> VOLUNTARY SCHOOL PRAYER
>
> Sec. 806. Part B of the General Education Provisions Act is amended by inserting after section 420 (20 U.S.C. 1228) the following new section: . . .

MR. [DON] BONKER [of Washington]: Mr. Chairman, we have a fairly complex parliamentary procedure. I wonder if the Chair would explain to the Members the various motions as they would occur.

THE CHAIRMAN PRO TEMPORE:[20] The first vote will be on the Gunderson amendment to the amendment of Mr. Coats. If no further amendments are offered to the Coats amendment, then the vote will occur on the substitute amendment offered by the gentleman from California (Mr. Hunter) if no amendments are offered to his substitute amendment.

MR. BONKER: As amended?

THE CHAIRMAN PRO TEMPORE: As amended or not.

MR. BONKER: Possibly by Gunderson, if that amendment is adopted?

THE CHAIRMAN PRO TEMPORE: Or possibly by another Member. . .

MR. [CHARLES E.] SCHUMER [of New York]: Mr. Chairman, I was confused by that explanation; could the Chair go over it once again?

THE CHAIRMAN PRO TEMPORE: . . . The first vote will be on the Gunderson amendment to the Coats amendment. If no other amendments are offered, then the next vote will be on the Hunter amendment, which is a substitute for the Coats amendment. Any amendment to the Hunter substitute would have to be offered before the vote on the Hunter substitute. Then after the Hunter substitute is voted on, the Coats amendment will be voted on.

20. Abraham Kazen, Jr. (Tex.).

Amendments to Original Amendment Disposed of First

§ 23.10 While the Chair may, in his discretion, recognize a senior committee member to offer an amendment to a pending substitute before recognizing a junior committee member to offer a perfecting amendment to the original amendment, the question will not be put on the amendment to the substitute until all amendments to the original amendment are disposed of.

Perfecting amendments to an amendment may be offered and voted on, seriatim, before the question is put on a pending perfecting amendment to a substitute for the amendment. An application of this procedure may be seen in the proceedings of May 15, 1979,[1] during consideration of H.R. 39, the Alaska National In-

1. 125 CONG. REC. 11152, 11153, 11158, 96th Cong. 1st Sess.

terest Lands Conservation Act of 1979. Pending was an amendment in the nature of a substitute recommended by the Committee on Merchant Marine and Fisheries (also called the "Breaux-Dingell" amendment). Also pending was a substitute for that amendment, offered by Mr. Morris K. Udall, of Arizona.

THE CHAIRMAN:[2] The question is on the amendments offered by the gentleman from Louisiana (Mr. Huckaby) to the amendment in the nature of a substitute offered by the Committee on Merchant Marine and Fisheries.

The amendments to the amendment in the nature of a substitute were agreed to. . . .

MR. [JOHN F.] SEIBERLING [of Ohio]: Mr. Chairman, I have a group of amendments I wish to offer (to the amendment offered by Mr. Udall as a substitute for the amendment in the nature of a substitute).

MR. [THOMAS J.] HUCKABY [of Louisiana]: Mr. Chairman, I also have amendments to the amendment in the nature of a substitute at the desk.

THE CHAIRMAN: The Chair will state that he is advised by the Parliamentarian that the gentleman from Ohio (Mr. Seiberling) may offer his amendments [to the Udall substitute], but that the votes will come on any amendments which would be offered to Breaux-Dingell before they will come on the amendments offered by the gentleman from Ohio (Mr. Seiberling).

The Clerk will report the amendments.

The amendments to the substitute read as follows:

Page 4, add to the Table of Contents:

Sec. 935. Protraction Diagrams.

Page 11, lines 17–18, strike "subsistence-oriented lifestyle" and insert in lieu thereof "subsistence way of life". . . .

MR. [KEITH G.] SEBELIUS [of Kansas]: Mr. Chairman, I offer Sebelius amendments 1 and 2 to the amendment in the nature of a substitute offered by the Committee on Merchant Marine and Fisheries.

MR. SEIBERLING: Mr. Chairman, a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state the parliamentary inquiry.

MR. SEIBERLING: Mr. Chairman, I do not believe we have voted on this amendment yet.

THE CHAIRMAN: That is correct. As long as there are amendments pending for the Merchant Marine and Fisheries matter proposed, we will take those prior to voting on the gentleman's amendments.

The gentleman from Kansas (Mr. Sebelius) has, I understand, amendments to the Merchant Marine and Fisheries matter.

THE CHAIRMAN: The Clerk will designate the amendments.

The amendments offered to the amendment in the nature of a substitute are as follows:

Section 201 of the Breaux-Dingell bill is amended by revising paragraph (3) (page 294, line 23) to read as follows: . . . .

2. Paul Simon (Ill.).

—*Amendments to Original Amendment in Order Following Disposition of Amendment to Substitute*

§ 23.11 Perfecting amendments to an amendment are offered and voted on before a perfecting amendment pending to the substitute is voted on; but disposition of the perfecting amendment to the substitute does not preclude the offering of further amendments to the amendment.

On May 15, 1979,[3] the Committee of the Whole having under consideration H.R. 39,[4] the above-stated proposition was illustrated as indicated below:

MR. [JOHN B.] BREAUX [of Louisiana]: I would ask the Chair, is it appropriate now that we consider voting on the Seiberling amendment?

THE CHAIRMAN:[5] The Chair will put the question.

MR. [DON] YOUNG OF Alaska: Mr Chairman, I have a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state it.

MR. YOUNG OF ALASKA: There is an additional amendment to the Breaux-Dingell bill by the gentleman from Washington (Mr. Swift). Is that not what is before the House right now?

THE CHAIRMAN: The Chair would make clear that voting on the Seiberling amendment does not preclude further amendments to the Merchant Marine and Fisheries amendment in the nature of a substitute.

The question is on the amendments en bloc offered by the gentleman from Ohio (Mr. Seiberling) to the substitute offered by the gentleman from Arizona (Mr. Udall).

The amendments to the substitute were agreed to.

Proposition Read as Original Text for Amendment, and Amendments Thereto

§ 23.12 To a proposition being read as original text for amendment there may be pending at one time only one amendment in the nature of a substitute, a substitute therefor, a perfecting amendment to the original amendment in the nature of a substitute and a perfecting amendment to the substitute, and any further amendment to perfecting amendments would be in the third degree; and the vote is first taken on perfecting amendments to the original amendment, then on perfecting amendments to the substitute, then on the substitute (as per-

3. 125 CONG. REC. 11180, 96th Cong. 1st Sess.
4. Alaska National Interest Lands Conservation Act of 1979.
5. Paul Simon (Ill.).

fected), and finally on the original amendment in the nature of a substitute (as amended).

In the proceedings described below, which occurred on May 18, 1978,[6] the Committee of the Whole had under consideration H.R. 39, the Alaska National Interest Conservation Lands Act of 1978. An amendment in the nature of a substitute (the Leggett amendment) was offered which, pursuant to House Resolution 1186, agreed to the previous day, was to be read for amendment under the five-minute rule as an original bill by titles. To such amendment, an amendment in the nature of a substitute (the "Meeds amendment") was subsequently offered.

THE CHAIRMAN:[7] When the committee rose on yesterday, Wednesday, May 17, 1978, all time for general debate had expired, the Clerk had read through line 4 on page 1 of the bill. . . .

MR. [ROBERT L.] LEGGETT [of California]: Mr. Chairman, I offer an amendment in the nature of a substitute, the text of H.R. 12625.

THE CHAIRMAN: The Clerk will read the amendment in the nature of a substitute by titles.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. Leggett: Strike out all after the enacting clause and insert in lieu thereof the following. . . .

MR. [MORRIS K.] UDALL [of Arizona]: . . . The script we have put together here was that when section 1 of the Leggett amendment, the consensus substitute, was read, the gentleman from Washington (Mr. Meeds) would offer his substitute, but that I would offer a substitute for the Meeds amendment, and we would then have foreclosed these nongermane things that we have been talking about. But it would also be understood that both sides, the Meeds and the Udall substitutes, would be open. As long as anybody has serious amendments, we would be prepared to stay here and take them and discuss those serious amendments.

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

At that point have we gotten into amendments in the third degree, or would amendments to both the pending substitutes be in order?

THE CHAIRMAN: Perfecting amendments to the Meeds amendment if offered or amendments to a substitute thereto would be in order.

MR. BAUMAN: But no further amendments in the nature of a substitute would be in order at that point?

THE CHAIRMAN: That is correct.

MR. UDALL: I am advised that the parliamentary preference is that the main amendment, the Meeds amendment, get priority and could be perfected first, after which the substitute

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6. 124 CONG. REC. 14391, 14394, 95th Cong. 2d Sess. For discussion of permissible pending amendments, and amendments in the third degree, see §§ 5 and 6, supra.

7. Paul Simon (Ill.).

I have could be perfected before the committee chooses between those two, so we are not going to try to foreclose any opportunity to have the gentleman from Washington (Mr. Meeds) perfect his amendment as much as he desires, or as much as the Members desire. . . .

MR. BAUMAN: I would like to put the parliamentary inquiry to the Chair, whether, indeed, that is the parliamentary situation.

THE CHAIRMAN: Perfecting amendments to the Meeds' amendment if offered will be voted on first, and the amendments to the Udall substitute offered would (then) be voted upon.

All Amendments Voted On

§ 23.13 The vote is first taken on a perfecting amendment to an amendment, then on a perfecting amendment to a substitute therefor, then on the substitute and then on the amendment; and all such pending amendments must be voted on, even where a perfecting amendment which substantially replaces the text of the original (primary) amendment is adopted.

On Aug. 1, 1978,[8] the Committee of the Whole having under consideration H.R. 12514,[9] the above-stated proposition was illustrated as indicated below:

The Clerk read as follows:

ASSISTANCE AND SALES TO TURKEY

Sec. 16. (a) Section 620(x) of the Foreign Assistance Act of 1961 is repealed.

(b) Section 504(a)(1) of the Foreign Assistance Act of 1961 is amended by striking out the following:

"Turkey————48,000,000". . . .

MR. [DANTE B.] FASCELL [of Florida]: Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Fascell: To section 16 of H.R. 12514, as reported: On page 13, line 2, delete all of section 16 through line 7 and insert, in lieu thereof, the following:

"Sec. 16. Section 620(x) of the Foreign Assistance Act of 1961 is amended as follows:

Strike out the language following the colon in the first sentence, through the period, and insert in lieu thereof the following: "*Provided,* That the President may suspend the provisions of this subsection. . . .

MR. [JAMES C.] WRIGHT [Jr., of Texas]: Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. Wright to the amendment offered by Mr. Fascell: In lieu of the section proposed to be inserted, insert the following section:

Sec. 16. (a) Section 620(x) of the Foreign Assistance Act of 1961 shall be of no further force and effect upon the President's determination and certification to the Congress that the resumption of full military cooperation with Turkey is in the national interest of the United States. . . .

MR. [JOHN F.] SEIBERLING [of Ohio]: Mr. Chairman, I offer an amendment as a substitute for the amendment.

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8. 124 CONG. REC. 23694–96, 23709, 23717, 23725, 95th Cong. 2d Sess.

9. The International Security Assistance Act of 1978.

The Clerk read as follows:

Amendment offered by Mr. Seiberling as a substitute for amendment offered by Mr. Fascell: Page 13, strike out lines 2 through 7 and insert in lieu thereof the following section:

TURKEY ARMS EMBARGO

Sec. 16. (a) Section 620(x) of the Foreign Assistance Act of 1961 shall be of no further force and effect upon the President's determination and certification to the Congress that the resumption of full military cooperation with Turkey is in the national interest of the United States. . . .

MR. [DAVID F.] EMERY [of Maine]: Mr. Chairman, I offer an amendment to the amendment offered as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. Emery to the amendment offered by Mr. Seiberling as a substitute for the amendment offered by Mr. Fascell: Page 2, at the end of line 21 (of the Seiberling Substitute), insert the following new sentence: "In particular, defense articles furnished to the government of Turkey after the enactment of this act shall not be transferred to Cyprus.". . .

MR. FASCELL: Mr. Chairman, I am trying to get the parliamentary situation straight as to what is now pending. Am I correct in stating that there is an amendment, the Fascell amendment, pending; that there is a substitute to the Fascell amendment?

THE CHAIRMAN:[10] The gentleman is correct.

MR. FASCELL: There is an amendment to the substitute?

THE CHAIRMAN: There is an amendment offered by the gentleman from Maine to the substitute. There is also an amendment to the Fascell amendment offered by the gentleman from Texas (Mr. Wright).

The vote will occur on the Wright amendment first. Should it be adopted or defeated, the votes will occur on the Emery amendment to the substitute amendment offered by the gentleman from Ohio (Mr. Seiberling).

MR. FASCELL: So the first vote, then, I ask the Chair, is on the amendment offered by the gentleman from Texas (Mr. Wright) to the Fascell amendment?

THE CHAIRMAN: Correct.

MR. FASCELL: Then the substitute will be offered, then the amendment will be perfected?

THE CHAIRMAN: The perfecting amendment to the substitute will be voted on, and then the substitute. . . .

MR. SEIBERLING: Mr. Chairman, am I correct in stating that the substitute which will be voted on after the Wright amendment is voted on is identical to the Wright amendment except for the Seiberling addition?

THE CHAIRMAN: That is not in the form of a parliamentary inquiry, the Chair will state to the gentleman from Ohio. . . .

MR. [EDWARD J.] DERWINSKI [of Illinois]: If the Wright amendment stands—known as the "wrong" amendment—if the Wright amendment is agreed to, then the Seiberling and Emery amendments have fallen by the wayside?

THE CHAIRMAN: That is not correct. They still must be voted on.

Where Amendment in Nature of Substitute Considered Original Text

§ 23.14 Where pursuant to a special rule the first section

10. Don Fuqua (Fla.).

of a committee amendment in the nature of a substitute had been read for amendment, and there was pending an amendment in the nature of a substitute for the committee amendment, an amendment thereto and a substitute therefor, the Chair indicated in response to a parliamentary inquiry that the amendment in the nature of a substitute and the substitute therefor could each be perfected by amendment before a vote was had on the substitute, but that the original committee bill had not been read and was not open to amendment.

On Feb. 5, 1976,[11] during consideration of a bill[12] in the Committee of the Whole, the Chair responded to a parliamentary inquiry regarding the situation described above. The proceedings were as follows:

THE CHAIRMAN:[13] When the Committee rose on yesterday there was pending an amendment in the nature of a substitute offered by the gentleman from Texas (Mr. Krueger) for the substitute committee amendment, an amendment offered by the gentleman from Texas (Mr. Eckhardt) to the amendment in the nature of a substitute offered by the gentleman from Texas (Mr. Krueger) and a substitute amendment offered by the gentleman from Iowa (Mr. Smith) for the amendment in the nature of a substitute offered by the gentleman from Texas (Mr. Krueger).

MR. [BOB] ECKHARDT [of Texas]: Mr. Chairman, a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state the parliamentary inquiry. . . .

MR. ECKHARDT: Mr. Chairman, do I correctly understand the parliamentary situation to be this, that there is before the House as one stem of legislation which may be amended, the original bill from the committee?

There is also the Krueger amendment in the form of a substitute, made in order, of course, by the Committee on Rules as a rule; and there is also another substitute, the Smith amendment, that is before the body, that these three all may be amended; but no more than one amendment to each may be available for consideration of the House at any given time?

THE CHAIRMAN: The Chair will state that the gentleman is nearly correct. The basic bill, the basic committee product, has not been read. Therefore, it is not subject to amendment at this point.

The Krueger amendment is subject to amendment, and there is pending to the Krueger amendment the gentleman's amendment. The Smith substitute for the Krueger amendment is pending to the Krueger amendment,

11. 122 CONG. REC. 2623, 94th Cong. 2d Sess. For further discussion of amendments in the nature of a substitute, see Sec. 25, infra.

12. H.R. 9464, Natural Gas Emergency Act of 1976.

13. Richard Bolling (Mo.).

and it can be amended. There is no amendment pending to the Smith substitute at this time.

MR. ECKHARDT: Let me put it this way: It would be appropriate to vote on an amendment pending to the Krueger amendment prior to the time a vote would be taken with respect to the Smith substitute?

THE CHAIRMAN: That is correct.

MR. ECKHARDT: In other words, each of the pieces of legislation before us is subject to being perfected before a choice is made between the two?

THE CHAIRMAN: That is correct.

Time Limit on One Branch of Amendment Tree

§ 23.15 Where there was pending an amendment in the nature of a substitute, a substitute therefor and an amendment to the substitute, and debate had been limited on the substitute and all amendments thereto but not on the original amendment or amendments thereto, the Chair indicated that (1) further amendments to the substitute or modifications of the substitute by unanimous consent must await disposition of the pending amendment to the substitute; (2) amendments to the original amendment could be offered and debated under the five-minute rule and would be voted on before amendments to the substitute; (3) amendments to the substitute could be offered and voted upon without debate unless printed in the Record pursuant to Rule XXIII clause 6; and (4) the question would not be put on the substitute until all perfecting amendments to it and to the original amendment were disposed of.

On Feb. 5, 1976,[14] during consideration of H.R. 9464, the Natural Gas Emergency Act of 1976, there was pending an amendment in the nature of a substitute (the Krueger amendment); a substitute therefor (the Smith amendment); and an amendment to the substitute (the Eckhardt amendment). A unanimous-consent request was made to limit debate:

MR. [JOHN D.] DINGELL [of Michigan]: Mr. Chairman, I rise to strike the requisite number of words.

Mr. Chairman, I ask unanimous consent that all debate on the Smith amendment and all amendments thereto terminate immediately upon the conclusion of consideration of the amendment offered by the gentleman from Texas (Mr. Eckhardt). . . .

There was no objection. . . .

MR. [CLARENCE J.] BROWN of Ohio: Mr. Chairman, as I understood it, the unanimous-consent request of the gentleman from Michigan (Mr. Dingell)

14. 122 CONG. REC. 2646–48, 94th Cong. 2d Sess.

was that all debate on the Smith substitute amendment cease after the disposition of the Eckhardt amendment. The Eckhardt amendment would be the pending business then, and immediately after the determination of the Eckhardt amendment, we would vote on the Smith amendment. Is that not correct? . . .

THE CHAIRMAN:[15] Not necessarily, because there could be an amendment to the Krueger amendment, which would be debatable. . . .

. . . Before we vote on the Smith substitute, amendments to the Krueger amendment are debatable if offered. . . .

The point that the Chair is trying to make, regardless of what agreements are reached, is that until the Krueger amendment is finally perfected to the satisfaction of the Committee, the Chair cannot put the question on the Smith substitute.

MR. BROWN of Ohio: The Chair cannot put the question on the Smith amendment?

THE CHAIRMAN: The Chair cannot put the question on the Smith substitute until the Krueger amendment is perfected to the satisfaction of the Committee.

There has been no limitation of debate on the Krueger amendment or amendments thereto. The basic parliamentary situation is that we have a substitute amendment for the amendment in the nature of a substitute, the Krueger amendment. Both of those are subject to amendment, but both must be perfected before the Chair can put the question on the substitute for the amendment in the nature of a substitute.

MR. BROWN of Ohio: With respect to the unanimous-consent request of the gentleman from Michigan (Mr. Dingell), the Eckhardt amendment is still to be voted upon, and then there are to be no other amendments to the Smith amendment?

THE CHAIRMAN: There is to be no further debate on such amendments. . . .

MR. BROWN of Ohio: Mr. Chairman, if my time still applies, I would like to ask the Chair to state the circumstances. If I may, before the Chair does that, I would like to ask the question this way: As the situation stands at this moment, the Krueger amendment is still perfectable by amendments under the normal course of time, and there is no limitation on the Krueger amendment.

The Smith amendment, however, can be perfected only by the vote on the Eckhardt amendment, and then if there are other amendments to the Smith amendment there is no debate time remaining on those amendments.

Is that correct?

THE CHAIRMAN: Unless they are printed in the Record.

MR. BROWN of Ohio: And if they are printed in the Record, the debate time is 5 minutes per side pro and con. Is that correct?

THE CHAIRMAN: That is correct. . . .

MR. DINGELL: Mr. Chairman, it is, however, a fact that the gentleman may have an amendment at the desk and it may be voted on without debate under the unanimous-consent request?

THE CHAIRMAN: That is correct.

MR. [ROBERT] KRUEGER [of Texas]: Mr. Chairman, I have a parliamentary inquiry.

15. Richard Bolling (Mo.).

THE CHAIRMAN: The gentleman will state it.

MR. KRUEGER: Mr. Chairman, there are still those of us who are not certain of the parliamentary situation. I am among them.

Mr. Chairman, my question is this: We will vote first on the Eckhardt amendment to the Smith substitute?

THE CHAIRMAN: That is right.

MR. KRUEGER: Following that, there will then be a vote without further debate on the Smith substitute, or no?

THE CHAIRMAN: The Chair cannot say, because if there were amendments printed in the Record, there can be both an amendment offered and debate on the amendment. If there were no amendments that were qualified for debate by being printed in the Record, they could not be offered and voted on without debate.

But if they are offered to the Krueger amendment in the nature of a substitute, they would both be considered and would be debatable under the 5-minute rule. . . .

The 5-minute rule applies only to amendments to the Smith amendment which has been printed in the Record. Other amendments to the Smith amendment do not have debate time; they are just voted on. . . .

MR. [BENJAMIN A.] GILMAN [of New York]: Mr. Chairman, I offer an amendment to the Krueger amendment in the nature of a substitute. My amendment has been printed in the Record.

The Clerk read as follows:

> Amendment offered by Mr. Gilman to the amendment in the nature of a substitute offered by Mr. Krueger immediately after section 26 of the Natural Gas Act (as added by section 208) insert the following:
>
> "TREATMENT OF RATES AND CHARGES FOR NATURAL GAS SOLD TO SENIOR CITIZENS
>
> "Sec. 27. (a) The Commission shall prohibit any natural-gas company from selling or otherwise supplying natural gas to any local natural gas company which increases the rates for natural gas sold to senior citizens. . . .

MR. [JOE D.] WAGGONNER [Jr., of Louisiana] (during the reading): Mr. Chairman, I have a point of order.

The point of order lies to the fact that the amendment now being read is to the Krueger amendment in the nature of a substitute and is not in order until there has been a disposition of the Eckhardt amendment to the Smith substitute.

THE CHAIRMAN: The Chair has stated that any amendment to the Krueger amendment in the nature of a substitute may now be offered and is debatable.

MR. WAGGONNER: But, Mr. Chairman, the amendment is not in order until there has been a disposition of the Eckhardt amendment to the Smith substitute which is now under consideration.

THE CHAIRMAN: This amendment takes precedence. This amendment takes precedence over the amendment to the substitute amendment. That is what the Chair has been trying to say now, repeatedly. The amendment that has precedence is an amendment to the amendment in the nature of a substitute, and this is the amendment that is now before the committee. . . .

The question is on the amendment offered by the gentleman from Texas

(Mr. Eckhardt) to the amendment offered by the gentleman from Iowa (Mr. Smith) as a substitute for the amendment in the nature of a substitute offered by the gentleman from Texas (Mr. Krueger).

The question was taken; and on a division (demanded by Mr. Eckhardt) there were—ayes 33, noes 35.

So the amendment to the substitute amendment for the amendment in the nature of a substitute was rejected.

Precedence of Perfecting Amendments to Original Text

§ 23.16 Where there is pending an amendment in the nature of a substitute, perfecting amendments and amendments thereto to the pending portion of underlying text may be offered and are voted on prior to the vote on the amendment in the nature of a substitute and amendments thereto.

On Apr. 13, 1983,[16] the Committee of the Whole having under consideration House Joint Resolution 13,[17] the above-stated proposition was illustrated as indicated below:

MR. [ELLIOTT H.] LEVITAS [of Georgia]: Mr. Chairman, I have a perfecting amendment at the desk to section 2 of House Joint Resolution 13.

THE CHAIRMAN:[18] the Chair will advise that perfecting amendments to the underlying text are in order at this time while the Levitas amendment in the nature of a substitute is pending. But the Chair will also point out that if any Member is recognized to offer a perfecting amendment at this time, debate will not be limited on the perfecting amendment and the vote will first come on the perfecting amendment and on any potential amendments thereto before the question is put on the Levitas substitute.

—Perfecting Amendment to Original Text Voted On First

§ 23.17 While an amendment in the nature of a substitute is pending to a proposition which is open to amendment at any point, a perfecting amendment to the original text may be offered, and a perfecting amendment to the amendment in the nature of a substitute may be offered; but the perfecting amendment to the original text is voted on first.

An example of the situation described above occurred on May 3, 1979,[19] during consideration of House Concurrent Resolution 107[20] in the Committee of the

16. 129 CONG. REC. 8402–04, 98th Cong. 1st Sess.
17. Nuclear Weapons Freeze.
18. Matthew F. McHugh (N.Y.).
19. 125 CONG. REC. 9654, 9660, 9663, 96th Cong. 1st Sess.
20. The first concurrent resolution on the Budget, fiscal 1980.

Whole. The proceedings were as follows:

MR. [JOHN H.] ROUSSELOT [of California]: Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. Rousselot: Strike all after the resolving clause and insert in lieu thereof the following:

That the Congress hereby determines and declares, pursuant to section 301(a) of the Congressional Budget Act of 1974, that for the fiscal year beginning on October 1, 1979—(1) the recommended level of Federal revenues is $515,000,000,000, and the amount by which the aggregate level of Federal revenues should be decreased is $10,000,000,000. . . .

MR. [CHALMERS P.] WYLIE [of Ohio]: Mr. Chairman, I offer a perfecting amendment to the text of the concurrent resolution (H. Con. Res. 107).

The Clerk read as follows:

Perfecting amendment offered by Mr. Wylie: Strike out sections 1 through 5 and insert in lieu thereof the following:

That the Congress hereby determines and declares, pursuant to section 301(a) of the Congressional Budget Act of 1974, that for the fiscal year beginning on October 1, 1979. . . .

MR. [CHARLES E.] GRASSLEY [of Iowa]: Mr. Chairman, I offer a perfecting amendment to the amendment in the nature of a substitute.

The Clerk read as follows:

Perfecting amendment offered by Mr. Grassley to the amendment in the nature of a substitute offered by Mr. Rousselot:

In the matter relating to the appropriate level of total new budget authority reduce the amount by $1,100,000,000. . . .

MR. WYLIE: Mr. Chairman, I have a parliamentary inquiry.

THE CHAIRMAN:[1] The gentleman from Ohio will state his parliamentary inquiry.

MR. WYLIE: The gentleman from Iowa (Mr. Grassley) is offering an amendment to the amendment in the nature of a substitute offered by the gentleman from California (Mr. Rousselot), as I understand it.

THE CHAIRMAN: The gentleman is correct.

MR. WYLIE: That would be voted on before my perfecting amendment?

THE CHAIRMAN: No. The perfecting amendment offered by the gentleman from Ohio (Mr. Wylie) to the concurrent resolution would be voted on first.

MR. WYLIE: That was my understanding Mr. Chairman. My amendment includes the amendment offered by the gentleman from Iowa (Mr. Grassley).

MR. GRASSLEY: Mr. Chairman, I am offering the perfecting amendment to the amendment in the nature of a substitute offered by the gentleman from California (Mr. Rousselot).

THE CHAIRMAN: The gentleman from Ohio (Mr. Grassley) is offering the perfecting amendment to the amendment in the nature of a substitute offered by the gentleman from California (Mr. Rousselot). The perfecting amendment to the main resolution offered by the gentleman from Ohio would be voted on first.

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1. William H. Natcher (Ky.).

§ 23.18 Pending the vote on a perfecting amendment to an amendment in the nature of a substitute (to a proposition open for amendment at any point), a perfecting amendment to the original text may be offered and must be voted on first.

On May 3, 1979,[2] uring consideration of House Concurrent Resolution 107[3] n the Committee of the Whole, the proceedings described above occurred as follows:

MR. [STEPHEN J.] SOLARZ [of New York]: Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment in the nature of a substitute offered by the gentleman from California (Mr. Rousselot).

PARLIAMENTARY INQUIRIES

MR. SOLARZ: Mr. Chairman, I have a parliamentary inquiry.

THE CHAIRMAN:[4] The gentleman will state his parliamentary inquiry.

MR. SOLARZ: Mr. Chairman, if I were to withdraw my request to speak at this particular time on the Rousselot amendment in the nature of a substitute, would a vote then be in order on the Grassley amendment to the Rousselot amendment in the nature of a substitute?

THE CHAIRMAN: The gentleman is correct.

MR. [GERALD B.] SOLOMON [of New York]: Mr. Chairman, I have an amendment at the desk which I think would precede the vote on the Rousselot amendment in the nature of a substitute.

THE CHAIRMAN: Is the gentleman's amendment a perfecting amendment to the resolution?

MR. SOLOMON: To the basic resolution, yes, Mr. Chairman.

THE CHAIRMAN: The Clerk will report the amendment.

PERFECTING AMENDMENT OFFERED BY MR. SOLOMON

MR. SOLOMON: Mr. Chairman, I offer a perfecting amendment.

The Clerk read the perfecting amendment offered by Mr. Solomon and, following brief debate, the Chair put the question thereon.

Committee Amendments and Amendments Offered From Floor

§ 23.19 Amendments recommended by a committee reporting a bill are normally considered before amendments offered from the floor; and where a "modified closed" rule adopted by the House permitted consideration of reported committee amendments en bloc and permitted three designated

2. 125 CONG. REC. 9664, 96th Cong. 1st Sess.
3. The first concurrent resolution on the Budget, fiscal 1980.
4. William H. Natcher (Ky.).

amendments to be offered without specifying the order of consideration, the Chairman of the Committee of the Whole required that the committee amendments be first disposed of unless the Committee of the Whole determined otherwise by unanimous consent.

On Dec. 1, 1982,[5] during consideration of H.R. 6995[6] in the Committee of the Whole, the proceedings described above occurred as follows:

THE CHAIRMAN:[7] Pursuant to the rule, the bill is considered as having been read for amendment under the 5-minute rule. No amendments are in order except: First, the amendments en bloc recommended by the Committee on Rules now printed in the bill; second, the amendment printed in the Congressional Record of September 15, 1982, by, and if offered by, Representative Luken or Representative Lee which shall be subject to a substitute printed in the Congressional Record of September 15, 1982, by Representative Broyhill and if offered by Representative Broyhill or Representative Dingell. . . .

The Chair would entertain first the amendments en bloc recommended by the Committee on Rules now printed in the bill, unless someone requests unanimous consent to proceed otherwise.

MR. [JAMES J.] FLORIO [of New Jersey]: Mr. Chairman, I ask unanimous consent that the gentleman from California (Mr. Dannemeyer) be authorized at this point to offer the so-called Luken-Lee amendment. . . .

There was no objection.

Perfecting Amendments and Motions To Strike

§ 23.20 While a motion to strike out language in a bill is pending, a perfecting amendment to a portion of the language sought to be stricken may be offered, and it is further in order to offer an amendment to such amendment, a substitute for said amendment and an amendment to the substitute; the vote is taken first on the amendment to the amendment, then on the amendment to the substitute, then on the substitute, and then on the amendment; the vote then recurs on the original motion to strike, which if adopted deletes any perfections adopted to the original language sought to be stricken.

An example of the situation described above occurred on July 18,

5. 128 CONG. REC. 28206, 28209, 97th Cong. 2d Sess. For further discussion of committee amendments, see § 26, infra.
6. The Federal Trade Commission Authorization Act.
7. George E. Brown, Jr. (Calif.).

1979,[8] during consideration of H.R. 4473[9] in the Committee of the Whole. The proceedings were as follows:

The Clerk read as follows:

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, $292,000,000 for the United States contribution to the fourth replenishment as authorized by the Act of August 14, 1974 (Public Law 93–373), to remain available until expended and $800,000,–000, for the third installment of the United States contribution to the fifth replenishment as authorized by the Act of October 3, 1977 (Public Law 95–118), to remain available until expended. . . .

Mr. C. W. Young, of Florida, offered an amendment to strike the language after "Treasury," down to (but not including) the figure of $800,000,000:

Amendment offered by Mr. Young of Florida: On page 4, line 4, after the comma, strike the remainder of line 4 and lines 5 through 7.

MR. YOUNG of Florida: Mr. Chairman, this amendment goes to the International Development Association of the World Bank.

That is the soft-loan window of the World Bank that makes loans that are 50 years' repayment with no repayment during the first 10 years, no interest, less than a 1-percent handling charge.

Now, the amount of cut this amendment would accomplish is $292 million. The $292 million was arrived at because that is the amount of the so-called IDA IV replenishment.

Now, the Congress last year refused to appropriate this money for the IDA IV replenishment. We also refused to do it the year before that. So what we have in effect is the administration coming back now and asking to put money back into the IDA account that we refused to do last year and the year before.

Now, we are already appropriating money for the IDA V replenishment. We are already negotiating for the IDA VI replenishment.

It is just my feeling that we can save our taxpayers a lot of money if we just go ahead and let IDA IV go by the board, like we did last year and like we did the year before. It is not going to hurt anybody. IDA has plenty of money. . . .

MR. [DAVID R.] OBEY [of Wisconsin]: Mr. Chairman, I offer an amendment. . . .

The Clerk read as follows:

Amendment by Mr. Obey to the [bill]: Restore the matter stricken by said amendment, changing the sum named in such matter to "$286,160,000". . . .

THE CHAIRMAN:[10] Does the gentleman from Florida insist on his point of order?

8. 125 CONG. REC. 19310–12, 19314, 19316, 96th Cong. 1st Sess. For discussion of perfecting amendments, or motions to strike and insert, and motions to strike, generally, see §§ 15–17, supra, and § 24, infra.

9. Foreign Assistance Appropriations, Fiscal Year 1980.

10. Abraham Kazen, Jr. (Tex.).

MR. YOUNG of Florida: Mr. Chairman, I insist on my point of order. . . .

THE CHAIRMAN: The Chair has looked at the amendment, and the Chair would say that the amendment of the gentleman from Florida strikes a part of the bill, that the amendment sent up by the gentleman from Wisconsin is, in fact, a perfecting amendment to the bill, which is one of the exceptions of having two amendments pending at the same time. The amendment of the gentleman from Wisconsin only changes the figure that is part of the text of the bill which the gentleman from Florida seeks to strike altogether, and therefore the Chair will respectfully overrule the point of order. . . .

MR. [MATTHEW F.] MCHUGH [of New York]: Mr. Chairman, I offer an amendment to the amendment offered by Mr. Obey.

Mr. YOUNG of Florida: Mr. Chairman, a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state it.

MR. YOUNG OF Florida: Mr. Chairman, I am concerned about this further amendment. It seems to me that would be a third-degree amendment.

THE CHAIRMAN: No, the Chair will explain to the gentleman that the amendment offered by the gentleman from Wisconsin was in the nature of a perfecting amendment to the bill, and it of itself is in the first degree. . . .

MR. YOUNG of Florida: . . . The amendment I am reading that was originally offered by the gentleman from Wisconsin (Mr. Obey) was offered by Mr. Obey as an amendment to the amendment offered by Mr. Young of Florida.

THE CHAIRMAN: This is correct. However, the Chair has stated that the amendment has been interpreted by the Chair as being a perfecting amendment to the bill; not to the amendment offered by the gentleman from Florida, but to the bill, and subject to amendment itself. The precedents support the Chair on this point. . . .

MR. YOUNG of Florida: We now have pending the original Young of Florida amendment.

THE CHAIRMAN: Yes.

MR. YOUNG of Florida: An amendment to that amendment offered by Mr. Obey, which, in effect, was not an amendment to that amendment but which was, in effect, a perfecting amendment to the bill.

THE CHAIRMAN: This is correct. There would still be an opportunity to vote on the Young of Florida amendment striking whatever is perfected by these two amendments. . . .

MR. YOUNG of Florida: After the Young amendment and the Obey amendment, we now have the McHugh amendment to the Obey amendment. Is that correct?

THE CHAIRMAN: This is correct.

MR. YOUNG of Florida: So the parliamentary situation is that we have three amendments before us, but technically one of them is an amendment to the bill and one of them is really an amendment to the bill. So, in effect, there is a further amending procedure that could be used; that would be a substitute for the final amendment offered by Mr. McHugh.

THE CHAIRMAN: A substitute for the Obey amendment would still be in order.

MR. YOUNG of Florida: I thank the Chairman.

THE CHAIRMAN: The Clerk will report the amendment.

The Clerk read as follows:

> Amendment offered by Mr. McHugh to the amendment offered by Mr. Obey: Strike out "$286,-160,000" and insert in lieu thereof "$286,159,000". . . .

The Clerk read as follows:

> Amendment offered by Mrs. Smith of Nebraska as a substitute for the amendment offered by Mr. Obey: Restore the matter stricken by said amendment, changing the sum named in such matter to "$86,000,000." . . .

MR. YOUNG OF Florida: Mr. Chairman, I offer an amendment to the amendment offered as a substitute for the amendment.

The Clerk read as follows:

> Amendment offered by Mr. Young of Florida to the amendment offered by Mrs. Smith of Nebraska as a substitute for the amendment offered by Mr. Obey: Strike out "$86,000,000" and insert "$85,000,000". . . .

MR. YOUNG of Florida: Mr. Chairman, I have a parliamentary inquiry.

THE CHAIRMAN: The gentleman will state his parliamentary inquiry.

MR. YOUNG of Florida: . . . I want to find out now in what order the votes will be coming, if I might.

THE CHAIRMAN: The Chair will inform the gentleman that the first vote will be agreeing on the amendment offered by the gentleman from New York (Mr. McHugh) to the amendment offered by the gentleman from Wisconsin (Mr. Obey).

The second vote will come on the amendment offered by the gentleman from Florida (Mr. Young) to the substitute amendment offered by the gentlewoman from Nebraska (Mrs. Smith). Then there will be a third vote on the Smith substitute itself, and then there will be a fourth vote on the Obey amendment. Then we will have a vote on the original Young amendment.

MR. YOUNG of Florida: Mr. Chairman, I have a further parliamentary inquiry.

If the Obey amendment, as amended or substituted or however it might turn out, is voted on in its original form, the way that the gentleman from Wisconsin (Mr. Obey) first submitted it, it strikes and replaces a figure that would not have been stricken in the first place.

THE CHAIRMAN: Then the amendment offered by the gentleman from Florida (Mr. Young) would come in for a vote after that of the gentleman from Wisconsin (Mr. Obey).

MR. YOUNG of Florida: Yes, Mr. Chairman, but if I may pose another parliamentary inquiry, that is the problem in which I find myself.

Until the original amendment offered by the gentleman from Florida is accepted, there is no language stricken. However, the amendment that we would be voting on, the amendment offered by the gentleman from Wisconsin (Mr. Obey), in fact says: Restore the matter stricken. But at that point nothing had been stricken. I am having a little problem with the parliamentary situation there.

THE CHAIRMAN: But the Chair has explained to the gentleman that the Obey amendment was a perfecting amendment to the bill, not to the amendment offered by the gentleman from Florida (Mr. Young) and in effect

the instructions in the Obey amendment to restore language are to be disregarded. If the Obey amendment carries, the Young amendment will still be voted upon after the Obey amendment has been voted on.

Mr. YOUNG of Florida: I have a further parliamentary inquiry, Mr. Chairman.

THE CHAIRMAN: The Chair will hear the gentleman.

MR. YOUNG of Florida: Then, Mr. Chairman, will the Young amendment be in its original form, or will it have also been amended by the Obey amendment to perfect the bill?

THE CHAIRMAN: It will be in its original form.

MR. YOUNG of Florida: So the Young amendment then will be voted on in its original form regardless of what happens?

THE CHAIRMAN: The gentleman is correct.

Where Amendments To Strike, Strike and Insert, and Insert Are Pending Simultaneously

§ 23.21 A perfecting amendment to a paragraph takes precedence over a motion to strike out the paragraph and insert a new text; and where a motion to strike out a paragraph, a motion to strike out the paragraph and insert a new text, and a perfecting amendment to the paragraph are pending, the amendments are voted on in the reverse order.

On July 12, 1951, the Chair indicated that, if a motion to strike out a paragraph and insert new language is agreed to, a pending amendment proposing to strike out the paragraph falls and is not voted upon. On that date, a bill (11) was under consideration to amend the Defense Production Act of 1950. An amendment was offered as follows: (12)

> Amendment offered by Mr. [Howard H.] Buffett [of Nebraska]: Page 8, line 25, strike out all of subsection (e). . . .

A further (perfecting) amendment was offered: (13)

> Amendment offered by Mr. [Jesse P.] Wolcott [of Michigan] as a substitute for the amendment offered by Mr. Buffett: Page 8, line 25, strike out subsection (e) and insert in lieu thereof the following: . . .

The following proceedings then took place:

> MR. [JACOB K.] JAVITS [of New York]: Mr. Chairman, I offer an amendment perfecting the language sought to be stricken by the amendment offered by the gentleman from Nebraska (Mr. Buffett). . . .
>
> Amendment offered by Mr. Javits: On page 9, line 1, after the word "de-

11. H.R. 3871.

12. 97 CONG. REC. 8073, 82d Cong. 1st Sess.

13. *Id.* at p. 8077. A motion to strike and insert is not a proper substitute for a motion to strike. However, a perfecting amendment to strike and insert was in order and the Wolcott amendment was so treated.

fense", insert "and upon the certification of the Director of Defense Mobilization that it is required for the national defense and is not otherwise obtainable."[14]

THE CHAIRMAN:[15] . . . Under the rules the perfecting amendment will be voted upon first; the motion to strike out and insert will be voted upon next; and, should the amendment by the gentleman from Michigan [Mr. Wolcott] be adopted, the motion made by the gentleman from Nebraska [Mr. Buffett] would fall.[16]

On Sept. 15, 1970,[17] the following proceedings took place:

Amendment offered by Mr. [Sam M.] Gibbons [of Florida]: On page 41 strike all of section 120, lines 1 through 23, inclusive. . . .

Amendment offered by Mr. [James G.] O'Hara [of Michigan]: On page 41, strike out line 1 through line 23 and insert the following:

Motions in the House to Dispose of Nongermane Amendments Between the Two Houses to House or Senate Bills or Resolutions. . . .

[The O'Hara amendment was agreed to.]

MR. [DURWARD G.] HALL [of Missouri]: Mr. Chairman, a parliamentary inquiry. Have we voted on the amendment offered by the gentleman from Florida (Mr. Gibbons)?

THE CHAIRMAN:[18] The Chair would like to inform the gentleman from Missouri that since the amendment to strike and insert of the gentleman from Michigan (Mr. O'Hara) was adopted, that means that the amendment offered by the gentleman from Florida (Mr. Gibbons) the motion to strike, that is, falls as a result of the adoption of the first amendment.

§ 23.22 Where it is proposed to strike out a paragraph of a bill, it is in order to perfect the paragraph, as by adding new language thereto, before acting on the motion to strike, and the perfecting amendment is first disposed of.

On Feb. 24, 1977,[19] in response to a parliamentary inquiry, the Chair indicated that a perfecting amendment adding words to a paragraph of a bill[20] would be voted on before a pending motion to strike such paragraph. The proceedings were as follows:

MR. [SAM] GIBBONS [of Florida]: Madam Chairman, I offer an amendment.

The Clerk read as follows: . . .

Page 2, strike out line 23 and all that follows down through and including line 7 on page 3. . . .

14. *Id.* at p. 8084.
15. Wilbur D. Mills (Ark.).
16. 97 CONG. REC. 8090, 82d Cong. 1st Sess.
17. 116 CONG. REC. 31840, 31845, 31846, 91st Cong. 2d Sess. Under consideration was H.R. 17654.
18. William H. Natcher (Ky.).
19. 123 CONG. REC. 5321, 5323, 5325, 95th Cong. 1st Sess.
20. H.R. 11, Local Public Works Capital Development and Investment Act Amendments.

MR. [WILLIAM H.] HARSHA [of Ohio]: Madam Chairman, I offer a perfecting amendment.

The Clerk read as follows:

Perfecting amendment offered by Mr. Harsha: Page 3, line 7, after the first period insert the following:

"This subsection shall not apply in any case where the Secretary determines it to be inconsistent with the public interest, or the cost to be unreasonable. . . .

MR. GIBBONS: Madam Chairman, I move to strike the last word. I only take the floor for the purpose of asking the gentleman from Ohio to clarify his amendment. As I understand it, this amendment is a substitute for my amendment. If the gentleman's amendment is adopted, my amendment would be wiped out and his would, in effect, be reaffirmation of the existing buy American law. . . .

THE CHAIRMAN:[1] The Chair would say to the gentleman from Florida that the amendment offered by the gentleman from Ohio is a perfecting amendment to the text of the bill, and it will be voted on first because of its precedence.

MR. [ROBERT A.] ROE [of New Jersey]: Madam Chairman, would the Chair explain the parliamentary situation?

THE CHAIRMAN: The parliamentary situation is this:

The gentleman from Florida (Mr. Gibbons) offered an amendment to strike a paragraph from the bill. The gentleman from Ohio (Mr. Harsha) offered an amendment which is a perfecting amendment to the original bill and which, if it is adopted, would be a part of the original text which the gentleman from Florida proposes to strike.

The question would then occur on the amendment offered by the gentleman from Florida (Mr. Gibbons). If the amendment offered by the gentleman from Florida (Mr. Gibbons) were adopted, then the language which had been included as a perfecting amendment would also be stricken, along with the rest of the paragraph.

The question is on the perfecting amendment offered by the gentleman from Ohio (Mr. Harsha).

The perfecting amendment was agreed to.

THE CHAIRMAN: The question is on the amendment offered by the gentleman from Florida (Mr. Gibbons).

The amendment was rejected.

Amendments To Strike All After Enacting Clause and Insert New Matter

§ 23.23 A committee amendment to the first paragraph or section of a bill is voted on before a vote is taken on an amendment to strike out all after the enacting clause and insert new matter.

On Feb. 9, 1940,[2] the following proceedings took place:

MR. [JACK] NICHOLS [of Oklahoma]: May an amendment which proposes to

1. Barbara Jordan (Tex.).

2. 86 CONG. REC. 1330, 76th Cong. 3d Sess. Under consideration was H.R. 960, extending the classified executive civil service of the United States.

strike out all after the enacting clause and insert other matter be offered at any time during the process of the reading of the bill, or must it be offered at some particular point in the bill?

THE CHAIRMAN:[3] It may be offered at the conclusion of the reading of the first section, with notice that if it is adopted, motions will be made as subsequent sections are read that they be stricken out.

MR. NICHOLS: Does the Chair mean by that statement that an amendment offered at the close of the reading of the first section to strike out all after the enacting clause would not be in order?

THE CHAIRMAN: It can be done after the reading of the first section as soon as the committee amendment is disposed of.

Motion To Strike Enacting Clause

§ 23.24 A motion to strike out the enacting clause of an omnibus private bill takes precedence over an amendment to strike out a title of the bill, and if adopted, applies to the entire bill.

On May 16, 1939,[4] the following proceedings took place:

The Clerk read as follows:

H.R. 6182. A bill for the relief of sundry aliens. . . .

Mr. [A. Leonard] Allen of Louisiana moves that the enacting clause be stricken out. . . .

THE SPEAKER PRO TEMPORE:[5] The gentleman from Louisiana (Mr. Allen) has offered a preferential motion to strike out the enacting clause. If that motion is adopted, then there would be no further consideration of the bill. It would apply to all titles enumerated in the bill. . . .

If the gentleman's motion is not adopted, the next procedure would be to vote upon the amendment offered by the gentleman from Ohio [Mr. Jenkins] to strike out title I of the bill.

Order of Consideration, as Specified in Special Rule, Changed by Unanimous Consent

§ 23.25 Where a special rule adopted by the House governing consideration of a bill specifies the order in which amendments may be considered in Committee of the Whole, the House (but not the Committee of the Whole) may by unanimous consent change the order of consideration of the amendments.

The proposition stated above was the basis of the following proceedings in the House, which oc-

3. Charles F. McLaughlin (Nebr.).

4. 84 CONG. REC. 5613, 5616–18, 76th Cong. 1st Sess.

5. Fritz G. Lanham (Tex.).

curred on June 14, 1984,[6] during consideration of H.R. 1510:[7]

MR. [ROMANO L.] MAZZOLI [of Kentucky]: . . . Therefore, the gentleman from Kentucky now, Mr. Speaker, makes the unanimous-consent request that amendments numbered 46, 47, and 48 to the bill (H.R. 1510) be postponed for consideration until Tuesday next, to become the first order of business on that day.

THE SPEAKER PRO TEMPORE:[8] To become the first order of business upon the resumption of the sitting of the Committee of the Whole under the terms of the rule.

MR. MAZZOLI: Precisely.

MR. [HOWARD L.] BERMAN [of California]: Mr. Speaker, reserving the right to object, are 46, 47, and 48 king of the mountain amendments?

MR. MAZZOLI: It says king of the mountain, on page 3, yes. The gentleman is correct. . . .

THE SPEAKER PRO TEMPORE: The gentleman from Kentucky [Mr. Mazzoli] asks unanimous consent that amendments numbered 46, 47, and 48 be postponed for consideration until Tuesday next and that they be in that order, the first order of business, when the Committee resumes sitting under the Committee of the Whole for the further consideration of the bill (H.R. 1510).

Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Amendments to Preamble

§ 23.26 Amendments to the preamble of a joint resolution are considered in the Committee of the Whole following the disposition of any amendments to the body of the resolution; and, in the House, amendments to the preamble of a joint resolution reported from Committee of the Whole are considered following engrossment and prior to third reading of the resolution.

On Oct. 29, 1975,[9] the Committee of the Whole having amended the preamble of a joint resolution reported the joint resolution[10] back to the House, the proceedings described above occurred as follows:

THE CHAIRMAN:[11] Are there further amendments to the bill? If not, the Clerk will report the preamble.

The Clerk read as follows:

Whereas more than twelve million Americans identify themselves as

6. 130 CONG. REC. 16404–05, 98th Cong. 2d Sess. For discussion of the effects of special rules on consideration generally, see Sec. § 3, supra.
7. The Immigration Reform and Control Act of 1983.
8. James C. Wright, Jr. (Tex.).
9. 121 CONG. REC. 34282, 34283, 94th Cong. 1st Sess. For discussion of amendments to titles and preambles generally, see § 19, supra.
10. H.J. Res. 92, census statistics, economic and social, relating to Americans of Spanish origin or descent.
11. William J. Randall (Mo.).

being of Spanish-speaking background and trace their origin or descent from Mexico, Puerto Rico, Cuba, Central and South America, and other Spanish-speaking countries. . . .

THE CHAIRMAN: The Clerk will report the committee amendment to the preamble.

The Clerk read as follows:

Committee amendment: Amend the preamble by striking out "Western Hemisphere".

The committee amendment to the preamble was agreed to.

THE CHAIRMAN: Under the rule, the committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Randall, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution (H.J. Res. 92) relating to the publication of economic and social statistics for Americans of Spanish origin or descent, pursuant to House Resolution 799, reported the joint resolution back to the House with sundry amendments adopted by the Committee of the Whole.

THE SPEAKER:[12] Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

THE SPEAKER: The question is on the engrossment of the joint resolution.

The joint resolution was ordered to be engrossed.

THE SPEAKER: The Clerk will report the amendment to the preamble.

The Clerk read as follows:

Amend the preamble by striking out "Western Hemisphere".

THE SPEAKER: The question is on the amendment to the preamble.

The amendment to the preamble was agreed to.

THE SPEAKER: The question is on the third reading of the joint resolution.

The joint resolution was ordered to be read a third time, and was read the third time.

§ 23.27 Amendments to the preamble of a concurrent resolution are considered in the House after the resolution has been agreed to.

On Feb. 21, 1966,[13] the following proceedings took place:

HOUSE CONCURRENT RESOLUTION 552

Whereas June 15, 1966, will mark the fiftieth anniversary of the granting by Act of Congress of the charter of the Boy Scouts of America. . . .

Resolved by the House of Representatives (the Senate concurring), That the Congress hereby pay tribute. . . .

The concurrent resolution was agreed to and a motion to reconsider was laid on the table.

The following committee amendment was agreed to:

On pages 1 and 2, strike all "Whereas" clauses.

MR. [ARCH A.] MOORE [Jr., of West Virginia]: Mr. Speaker, I ask unanimous consent for the present consider-

12. Carl Albert (Okla.).

13. 112 CONG. REC. 3473, 89th Cong. 2d Sess.

ation of Senate Concurrent Resolution 68, which is similar to House Concurrent Resolution 552. . . .

There being no objection, the Clerk read the Senate concurrent resolution. . . .

MR. MOORE: Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Moore: Strike out all after the [resolving] clause and insert the provisions of House Concurrent Resolution 552 as passed.

THE SPEAKER PRO TEMPORE:[14] Would the amendment of the gentleman from West Virginia strike out the preamble or all after the [resolving] clause and substitute the language of the House concurrent resolution just passed?

MR. MOORE: It would strike out all after the [resolving] clause.

THE SPEAKER PRO TEMPORE: That would not eliminate the preamble.

Mr. Moore having indicated he would move to strike the preamble, the Senate concurrent resolution was agreed to and a motion to reconsider was laid on the table, whereupon the Chair instructed the Clerk to read Mr. Moore's motion:

THE SPEAKER PRO TEMPORE: The Clerk will report the amendment of the gentleman from West Virginia.

The Clerk read as follows:

Mr. Moore moves to strike out the preamble.

The amendment was agreed to.

14. Carl Albert (Okla.).

Amendment of Table of Contents

§ 23.28 By unanimous consent, the Committee of the Whole delayed consideration for amendment of the table of contents at the beginning of a bill until the bill had been considered for amendment in its entirety.

On Aug. 2, 1977,[15] the Committee of the Whole having under consideration H.R. 8444,[16] the unanimous-consent request described above was agreed to as indicated below:

THE CHAIRMAN:[17] When the Committee rose on Monday, August 1, 1977, all time for general debate had expired.

Pursuant to the rule, the bill is considered by parts and each part is considered as having been read for amendment. No amendment shall be in order except pro forma amendments and amendments made in order pursuant to House Resolution 727, which will not be subject to amendment, except amendments recommended by the ad hoc Committee on Energy and amendments made in order under House Resolution 727.

MR. [THOMAS L.] ASHLEY [of Ohio]: Mr. Chairman, I ask unanimous consent that the Committee amendments

15. 123 CONG. REC. 26124, 95th Cong. 1st Sess.
16. National Energy Act.
17. Edward P. Boland (Mass.).

to the table of contents and the table of contents be passed over and considered after all other amendments have been considered, in order that they can be correctly disposed of.

THE CHAIRMAN: Is there objection to the request of the gentleman from Ohio?

There was no objection.

Instance Where Two Perfecting Amendments to Same Text Were Pending Simultaneously

§ 23.29 While there may be pending only one perfecting amendment to a section at a time and there are no degrees of preference as between perfecting amendments, in one instance where there was pending an amendment proposing to strike out a subsection and insert new language, the Chair announced that an amendment which merely perfected the subsection of the bill (and which could have been drafted as a substitute) would be treated as a perfecting amendment to the bill and would be voted on first.

On Mar. 21, 1975,[18] during consideration of a bill[19] in the Committee of the Whole the proceedings, described above, occurred as follows:

The Clerk read as follows:

Amendment offered by Mrs. Fenwick: Page 11, strike out lines 1 through 12 and insert in lieu thereof:

"(d) Not more than 50 per centum of the aggregate mortgage amounts approved in appropriation Acts may be allocated (1) for use with respect to existing previously occupied dwellings which have not been substantially rehabilitated and (2) for use with respect to new, unsold dwelling units the construction of which commenced prior to the enactment of this Act. Not more than 10 per centum of the aggregate mortgage amounts approved in appropriation Acts may be allocated with respect to dwelling units with appraised values in excess of $38,000.". . .

MR. [LES] AUCOIN [of Oregon]: Mr. Chairman, I offer a perfecting amendment.

The Clerk read as follows:

Perfecting amendment offered by Mr. AuCoin: On page 11, line 1, strike out "25" and insert in lieu thereof "30."

On page 11, line 3, insert "with respect to existing units and" immediately after "use."

THE CHAIRMAN:[20] The Chair will treat this amendment as a perfecting amendment to the paragraph of the bill and it will be voted on first.

Parliamentarian's Note: The AuCoin amendment could have been interpreted as a substitute for the Fenwick amendment, but it was far less comprehensive in scope and if agreed to would not

18. 121 CONG. REC. 7950, 94th Cong. 1st Sess.

19. H.R. 4485, the Emergency Middle-Income Housing Act of 1975.

20. Robert N. Giaimo (Conn.).

have precluded the reoffering of the Fenwick amendment in its original form.

§ 24. Perfecting Amendments; Motions To Strike

No Preference Between Perfecting Amendments

§ 24.1 There may be pending but one perfecting amendment to a section at a time and there are no degrees of preference as between perfecting amendments.

On Mar. 9, 1935,[21] during consideration of H.R. 6021, relating to home mortgage relief, an amendment was offered by Mr. Walter G. Andrews, of New York, to section 10 of the bill:

> Amendment by Mr. Andrews of New York: Page 7, line 17, after the word "following", insert a new paragraph to read as follows—
>
> . . ."In the appointment of agents and the selection of employees for said Corporation, and in the promotion of agents or employees, no partisan political test or qualification shall be permitted or given consideration, but all agents and employees shall be appointed, employed, or promoted solely upon the basis of merit and efficiency. Any member of the Board who is found guilty of a violation of this provision by the President of the United States shall be removed from office by the President of the United States and any agent or employee of the Corporation who is found guilty of a violation of this section by the Board shall be removed from office by said Board."

Subsequently, an amendment was offered by Mr. Thomas L. Blanton, of Texas:

> Amendment offered by Mr. Blanton: Page 7, line 19, after the word "office" insert "or congressional district". . . .
>
> THE CHAIRMAN:[22] The Chair suggests to the gentleman from Texas that the gentleman withhold his amendment until the committee has disposed of the other perfecting amendment offered by the gentleman from New York [Mr. Andrews].
>
> MR. BLANTON: That amendment added a new section, Mr. Chairman. Mine is perfecting the text of section 10. . . .
>
> I make the point of order that any amendment that changes the text in any way or seeks to perfect it is preferential. . . .
>
> THE CHAIRMAN: The Andrews amendment does something to the bill in the way of perfecting it, and that is exactly what the gentleman's amend-

21. 79 CONG. REC. 3291, 3294, 74th Cong. 1st Sess.

An amendment had been offered inserting a new section 11, which the Chair indicated would be voted upon after perfecting amendments to section 10 were disposed of.

For an instance in which a second perfecting amendment to text was considered and voted on prior to another perfecting amendment, see § 23.29, supra.

22. Emanuel Celler (N.Y.).