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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.).

ment does, and the committee would have two perfecting amendments pending at the same time if the gentleman's amendment was offered at this time. The Chair suggests that the gentleman withhold his amendment.

Amendment Inserting New Section

§ 24.2 Perfecting amendments to a section are considered before amendments proposing to insert new sections.

On Mar. 9, 1935,[23] during consideration of a bill[1] relating to home mortgage relief, the following exchange took place:

THE CHAIRMAN:[2] The amendment offered by the gentleman from Michigan [Mr. Brown] is a proposed new section to follow section 10.

MR. [Thomas L.] Blanton [of Texas]: Then all amendments which would perfect the text should be voted upon before the Brown amendment?

THE CHAIRMAN: All amendments that perfect section 10 would naturally come before the amendment offered by the gentleman from Michigan [Mr. Brown]; that is correct.

23. 79 CONG. REC. 3291, 74th Cong. 1st Sess. For further discussion of priorities among proffered amendments, see §§ 15 et seq., supra.
1. H.R. 6021.
2. Emanuel Celler (N.Y.).

Perfecting Amendment Voted On Before Amendment To Strike

§ 24.3 All perfecting amendments to a section of a bill must be disposed of prior to the vote recurring on a pending motion to strike out the section.

On Aug. 3, 1966,[3] the following proceedings took place:

MR. [Arch A.] Moore [of West Virginia]: Mr. Chairman, I offer an amendment.

The Clerk read as follows: . . .

MR. MOORE: Mr. Chairman, the amendment I have offered, in effect, will strike the language contained in title IV of the bill before us.

MR. [Charles McC.] Mathias [Jr., of Maryland]: Mr. Chairman, I offer a perfecting amendment. . . .

MR. [Joe D.] Waggonner [Jr., of Louisiana]: Under what conditions can a perfecting amendment to title IV be offered by the gentleman from Maryland [Mr. Mathias] in view of the fact that the amendment offered by the gentleman from West Virginia [Mr. Moore] was to strike out all of title IV. What does it perfect? Or what would it then perfect?

THE CHAIRMAN:[4] Under our rules—the rules of the House, and ordinary

3. 112 CONG. REC. 18111–15, 89th Cong. 2d Sess. Under consideration was H.R. 14765.

For further discussion of the precedence of perfecting amendments, see § 15 et seq., supra.
4. Richard Bolling (Mo.).

parliamentary procedure—the basic legislation is perfected before there is a vote on an amendment to strike.

§ 24.4 The vote on a perfecting amendment takes precedence over a vote on a motion to strike out.

On Oct. 20, 1967,[5] the following proceedings took place:

> The Clerk read as follows:
>
> On page 2, line 3, strike the words "available to" and insert in lieu thereof the words "covered into a special fund in the Treasury which when appropriated shall be available until expended by". . . .
>
> The Clerk read as follows:
>
> Amendment offered by Mr. [Craig] Hosmer [California] to the committee amendment:
> On page 2, line 2, after the period, strike out the remainder of line 2 and following down through line 10. . . .

THE CHAIRMAN:[6] The Chair will state that the question first (comes) on the perfecting amendment, and subsequently on the amendment offered by the gentleman from California [Mr. Hosmer], which was in effect a motion to strike.

Similarly, on May 17, 1944, the Chair stated that perfecting amendments are voted on before amendments to strike out.[7] The statement of the Chairman[8] was as follows:

> The amendment offered by the gentleman from South Dakota is offered as an amendment to the text of the bill, therefore is a perfecting amendment to the text of the bill. The vote would come first on the amendment offered by the gentleman from South Dakota in view of the fact that perfecting amendments are voted upon prior to amendments to strike out.

§ 24.5 A perfecting amendment to the text of a bill is in order pending a vote on a motion to strike out the same text and is first voted on.

On Oct. 3, 1969,[9] the following proceedings took place:

> The Clerk read as follows:
>
> Motion offered by Mr. [Samuel S.] Stratton [of New York]: On page 16, line 9, strike all of Title V. . . .
>
> The Clerk read as follows:
>
> Amendment offered by Mr. [Andrew] Jacobs [Jr., of Indiana] to title V: On page 17, immediately after line 13 insert the following:
> Sec. 505. . . .

MR. [L. Mendel] Rivers [of South Carolina]: . . . How can you have an amendment to a section that is to be stricken?

---

5. 113 CONG. REC. 29569, 29570, 90th Cong. 1st Sess.

6. Fernand J. St Germain (R.I.).

7. See 90 CONG. REC. 4616, 78th Cong. 2d Sess. Under consideration was S. 1767, relating to aid for the readjustment in civilian life of returning war veterans.

8. Fritz G. Lanham (Tex.).

9. 115 CONG. REC. 28454, 28455, 91st Cong. 1st Sess. Under consideration was H.R. 14000.

. . . I make the point of order that the amendment is not in order and is not germane to the section.

THE CHAIRMAN:[10] . . . Perfecting amendments to a title in a bill may be offered while there is pending a motion to strike out such title.

It is well established that, where both a perfecting amendment to a section and a motion to strike out the section are pending, the perfecting amendment is first voted on. Further, the Chair may decline to recognize a Member offering a motion to strike out text as a substitute for a pending motion to perfect the same text, since a motion to strike is not a proper substitute for a perfecting amendment.

On June 4, 1968,[11] for example, the following proceedings took place:

THE CHAIRMAN:[12] The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 3, line 17, after "section" insert. . . .

MR. [Porter] Hardy [Jr., of Virginia]: Mr. Chairman, a parliamentary inquiry. Would it be in order at this point to offer a substitute for the committee amendment to strike out the entire language beginning at line 7 through line 20?

THE CHAIRMAN: Not until we have disposed of the committee amendment. . . .

MR. HARDY: Will the committee amendment—is it not in order to offer a substitute for the committee amendment?

THE CHAIRMAN: After we dispose of the pending committee amendment a motion to strike out the section would be in order.

§ 24.6 A perfecting amendment to a paragraph may be offered while a motion to strike out the paragraph is pending, and the perfecting amendment is voted on first.

On June 24, 1975,[13] the Committee of the Whole having under consideration a bill,[14] an amendment was offered and proceedings were as follows:

MR. [Leo J.] Ryan [of California]: Mr. Chairman, I offer an amendment.

The portion of the bill to which the amendment relates is as follows:

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For expenses necessary for the Selective Service System, including ex-

10. Daniel D. Rostenkowski (Ill.).

11. 114 CONG. REC. 15889, 90th Cong. 2d Sess. Under consideration was H.R. 17268.

See also, for further examples, 119 CONG. REC. 26201, 26204, 93d Cong. 1st Sess., July 26, 1973; and 113 CONG. REC. 26120, 26122, 90th Cong. 1st Sess., Sept. 20, 1967.

12. Edward P. Boland (Mass.).

13. 121 CONG. REC. 20569, 20570, 20573, 20574, 94th Cong. 1st Sess.

14. H.R. 8070, Department of Urban Development appropriations, 1976.

penses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by law (5 U.S.C. 4101–4118) for civilian employees; and not to exceed $1,000 for official reception and representation expenses: $40,000,000: . . .

The Clerk read as follows:

Amendment offered by Mr. Ryan: Page 26, strike out line 18 and all that follows thereafter through page 27, line 13. . . .

MR. [Robert F.] Drinan [of Massachusetts]: Mr. Chairman, I have a perfecting amendment to the paragraph of the bill which the Ryan amendment seeks to strike.

THE CHAIRMAN:[15] The Clerk will report the perfecting amendment.

The Clerk read as follows:

Perfecting amendment offered by Mr. Drinan to the paragraph which the Ryan amendment seeks to strike: On page 27, line 1, strike out "$40,000,000" and insert in lieu thereof "$17,672,000."

On page 27, line 11, strike out "$8,300,000" and insert in lieu thereof "$3,272,000.". . .

THE CHAIRMAN: The question is on the perfecting amendment offered by the gentleman from Massachusetts (Mr. Drinan). . . .

(T)he perfecting amendment was rejected.

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

The amendment was rejected.

§ 24.7 Where there is pending an amendment to strike out a section of a bill, a perfecting amendment to that section striking out some of its provisions and inserting new language is in order and is first voted upon.

On Apr. 19, 1973,[16] the following proceedings took place:

MR. [JAMES M.] HANLEY [of New York]: Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Hanley: Page 124, strike out line 10 and all that follows down through and including the line following line 12 on page 125.

Renumber succeeding sections and references thereto accordingly. . . .

MR. [JOHN] BUCHANAN [of Alabama]: Mr. Chairman, I offer an amendment as a perfecting amendment.

The Clerk read as follows:

Perfecting amendment offered by Mr. Buchanan: Page 124, strike out line 14 and all that follows down through and including the line following line 12 on page 125, and insert in lieu thereof the following:

§ 149. Availability of urban system funds. . . .

THE CHAIRMAN:[17] . . . The question is on the perfecting amendment offered by the gentleman from Alabama (Mr. Buchanan).

The perfecting amendment was rejected.

---

15. James G. O'Hara (Mich.).

16. 119 CONG. REC. 13233, 13235, 13240, 93d Cong. 1st Sess. Under consideration was S. 502.

See also 116 CONG. REC. 8188, 8190, 91st Cong. 2d Sess., Mar. 19, 1970.

17. Morris K. Udall (Ariz.).

THE CHAIRMAN: The question is on the amendment offered by the gentleman from New York (Mr. Hanley).

Perfecting Amendment Added to End of Material Proposed To Be Stricken

§ 24.8 In response to a parliamentary inquiry, the Chair indicated (1) that a perfecting amendment adding words to a paragraph would be voted on before a pending motion to strike such paragraph, and (2) that the adoption of the motion to strike the paragraph would strike the perfecting language, if adopted, along with the rest of the paragraph.

On Feb. 24, 1977,[18] during consideration of a bill[19] on the Committee of the Whole, the Chair responded to a parliamentary inquiry as described above:

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. . . .

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:[20] 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 gen-

18. 123 CONG. REC. 5321, 5323, 5325, 95th Cong. 1st Sess.

19. H.R. 11, Local Public Works Capital Development and Investment Act amendments.

20. Barbara Jordan (Tex.).

tleman 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.

Parliamentarian's Note: An amendment adding a new sentence at the end of a section which is proposed to be stricken is considered a perfecting amendment and is first voted on.

—*Motion To Strike Not Proper Substitute for Amendment Changing a Figure*

§ 24.9 Perfecting amendments to a paragraph are disposed of prior to amendments to strike out the paragraph, and a motion to strike out is not a proper substitute for a perfecting amendment merely changing a figure.

On June 25, 1974,[1] during consideration of a bill[2] in the Committee of the Whole, the Chair ruled as described above:

MR. [JOHN T.] MYERS [of Indiana]: Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Myers: On page 14, lines 16 and 17, strike $1,000,000 and substitute $250,000.

MR. MYERS: Mr. Chairman, it seems to be the mood of the committee this afternoon to make cuts. This would simply restore the funds for the Commission on the Review of the National Policy Toward Gambling back to last year's level. . . .

MR. [C. W.] YOUNG of Florida: 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. Young of Florida for the amendment offered by Mr. Myers:

Page 14, lines 10 through 17, strike lines 10 through 17 and renumber the following lines.

THE CHAIRMAN:[3] The Chair states that this is not a proper substitute for the amendment now pending. Once the pending perfecting amendment has been disposed of, then the gentleman's amendment to strike out the paragraph would be in order.

—*Motion To Strike Title of Bill*

§ 24.10 In response to a parliamentary inquiry, the Chairman stated that where there was pending a motion to strike a title of a bill, per-

1. 120 CONG. REC. 21038, 21039, 93d Cong. 2d Sess.
2. H.R. 15544, Treasury Department, Postal Service and Executive Office appropriations, fiscal 1975.
3. B. F. Sisk (Calif.).

fecting amendments to that title could be offered and would be voted on prior to voting on the motion to strike.

On June 13, 1975,[4] the Committee of the Whole having under consideration the bill H.R. 6860,[5] parliamentary inquiry was addressed to the Chair, as indicated below:

> MR. [KEN] HECHLER of West Virginia: Mr. Chairman, I have a parliamentary inquiry.
>
> THE CHAIRMAN:[6] The gentleman will state it.
>
> MR. HECHLER of West Virginia: Does this amendment strike all of title IV?
>
> MR. [WILLIAM A.] STEIGER of Wisconsin: Yes.
>
> MR. HECHLER of West Virginia: In that event, my parliamentary inquiry is, Mr. Chairman, I have a perfecting amendment to title IV. I would inquire of the Chair whether that perfecting amendment could be considered.
>
> THE CHAIRMAN: The Chair desires to inform the gentleman from West Virginia that his perfecting amendment would be in order pending the vote on the amendment offered by the gentleman from Wisconsin.

—Several Amendments Pending; Vote on Motion To Strike Deferred

§ 24.11 There may be pending a motion to strike out a pending title of a bill, a perfecting amendment (adding a new section at the end of the title), and a substitute for the perfecting amendment. The vote is taken first on the substitute, then on the perfecting amendment, finally on the motion to strike. After the first perfecting amendment has been disposed of, another may be offered and the vote on the motion to strike out is again deferred until the amendment is disposed of.

The proceedings of Oct. 3, 1969, are discussed in Sec. 5.10, supra.

Text Perfected Before Vote on Striking it Out

§ 24.12 A motion proposing to strike out a section is not properly offered as an amendment to a perfecting amendment to that section, but where no point of order is raised, the Chair nevertheless follows the general principle that the pending text should first be perfected before the vote recurs on striking it out. The principle of perfecting text before considering an amendment striking it from the bill is followed even where the motion to

4. 121 CONG. REC. 18819, 94th Cong. 1st Sess.
5. Energy Conservation and Conversion Act of 1975.
6. William H. Natcher (Ky.).

strike out is improperly drafted as an amendment to an amendment.

On Mar. 20, 1975,[7] uring consideration in the Committee of the Whole of a bill,[8] parliamentary inquiry was addressed to the Chair and the proceedings were as follows:

The Clerk read as follows:

Amendment offered by Mr. Richmond: Page 3, line 8, strike the figure "85 per centum", and insert in lieu thereof the figure "80 per centum". . . .

MR. [PAUL] FINDLEY [of Illinois]: Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. Findley to the amendment offered by Mr. Richmond: Page 3, line 1, strike out lines 1 through 16. . .

MR. [THOMAS S.] FOLEY [of Washington]: Mr. Chairman, a parliamentary inquiry.

Am I correct that the order of consideration of the two amendments presently before the committee is that the first vote will occur on the so-called Richmond amendment as a perfecting amendment to the bill and the second vote will occur on the Findley amendment?

THE CHAIRMAN:[9] The Chair will advise the gentleman from Washington (Mr. Foley) that he is correct. Under Deschler's Procedure, Chapter 27, Section 22.3 where both a perfecting amendment to a section and a motion to strike out the section are pending, the perfecting amendment is first voted on.

In the case now facing the committee, the perfecting amendment to the section is the amendment offered by the gentleman from New York (Mr. Richmond) and the motion to strike out the section, is the amendment offered by the gentleman from Illinois (Mr. Findley).

Therefore, under the procedure, the perfecting amendment of the gentleman from New York (Mr. Richmond) will be the first amendment on which the committee will vote.

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

THE CHAIRMAN: The gentleman will state it.

MR. FINDLEY: In offering the amendment, the Clerk read the amendment as an amendment to the amendment offered by the gentleman from New York (Mr. Richmond). Would that not on the face of it qualify it as an amendment to the amendment?

THE CHAIRMAN: The gentleman is correct in stating the manner in which his amendment was proposed and as the Clerk read it; but since no point of order was raised against the amendment, the procedure which the Chair just read nonetheless applies.

Parliamentarian's Note: Technically, the motion to strike out the designated lines should not have been offered while a perfecting amendment to those lines

7. 121 CONG. REC. 7653, 7658, 7662, 94th Cong. 1st Sess.

8. H.R. 4296, emergency price supports for 1975 crops.

9. John Brademas (Ind.).

was pending, but when it was offered without objection, the Chair properly stated the order of voting as indicated above.

Motions Pending To Strike Entire Title and Lesser Portion of Title

§ 24.13 Where there is pending a motion to strike an entire title of a bill, it is in order to offer, as a perfecting amendment to that title, a motion to strike out a lesser portion of the title, and that perfecting amendment is voted on first.

On June 11, 1975,[10] the Committee of the Whole having under consideration the bill H.R. 6860,[11] a motion to strike a portion of the bill was offered and proceedings were as follows:

> MR. [Bill] Alexander [of Arkansas]: Mr. Chairman, I offer an amendment.
>
> The Clerk read as follows:
>
> > Amendment offered by Mr. Alexander: Strike out title II (relating to energy conservation taxes), beginning on line 1 of page 29, and ending on line 24 of page 57. . . .
>
> MR. [Fortney H.] Stark [of California]: Mr. Chairman, I offer several amendments, and ask unanimous consent that they be considered en bloc.
>
> The Clerk read as follows:
>
> > Amendments offered by Mr. Stark:
> > Page 30, strike out line 1 and all that follows down through line 5 on page 31.
> > Page 32, strike out line 20 and all that follows down through line 25. . . .
>
> MR. [Al] Ullman [of Oregon]: Mr. Chairman, the gentleman from California has offered an amendment which would strike part B. The gentleman from Arkansas has offered an amendment which would strike the whole title.
>
> I would assume, after part B is perfected, as the gentleman's amendment to strike part B asks, it would come before the amendment to strike the whole title. Am I correct?
>
> THE CHAIRMAN:[12] The Chair would like to advise the chairman of the committee that the amendment offered by the gentleman from California (Mr. Stark) is a perfecting amendment and will be voted on first.

Disposition of Perfecting Amendment as Affecting Vote on Motion To Strike

§ 24.14 In response to a parliamentary inquiry, the Chair indicated that either adoption or rejection of a perfecting amendment to a section would not preclude a vote on a pending motion to strike out the section (where the perfecting amendment did not change all the language in the section).

10. 121 CONG. REC. 18435, 18437, 94th Cong. 1st Sess.

11. Energy Conservation and Conversion Act of 1975.

12. William H. Natcher (Ky.)

On Mar. 20, 1975,[13] the Committee of the Whole having under consideration the bill H.R. 4296, emergency price supports for 1975 crops, the Chair responded to a parliamentary inquiry as indicated below:

MR. [Frederick W.] Richmond [of New York]: Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Richmond: Page 3, line 8, strike the figure "85 per centum", and insert in lieu thereof the figure "80 per centum". . . .

MR. [Paul] Findley [of Illinois]: Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. Findley to the amendment offered by Mr. Richmond: Page 8, line 1, strike out lines 1 through 16. . . .

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

THE CHAIRMAN:[14] The gentleman will state it.

MR. FINDLEY: The response of the Chair made to the parliamentary inquiry of the chairman of the House Committee on Agriculture indicated that because my amendment to the amendment had the effect of striking the section, it would, therefore, come second after the disposition of the gentleman from New York (Mr. Richmond).

THE CHAIRMAN: The gentleman is correct.

MR. FINDLEY: May I further ask, suppose the amendment of the gentleman from New York (Mr. Richmond) is defeated, what standing, if any, would my amendment to the amendment then have?

THE CHAIRMAN: The amendment of the gentleman from Illinois will be voted on in either event.

MR. FINDLEY: I thank the Chairman.

Parliamentarian's Note: Technically, the motion to strike out the designated lines should not have been offered while a perfecting amendment to those lines was pending, but when it was offered without objection, the Chair properly stated the order of voting as indicated above.

§ 24.15 A perfecting amendment may be offered while a motion to strike out is pending, and if the perfecting amendment changes all the words proposed to be stricken out, the motion to strike necessarily falls and is not voted on.

On Apr. 9, 1979,[15] the Committee of the Whole having under consideration H.R. 3324,[16] the

13. 121 CONG. REC. 7653, 7658, 7663, 94th Cong. 1st Sess. For discussion of effects of consideration or adoption of amendments generally, see § 29 et seq., infra.

14. John Brademas (Ind.).

15. 125 CONG. REC. 7753, 7755, 96th Cong. 1st Sess.

16. The International Development Cooperation Act of 1979.

above-stated proposition was illustrated as indicated below:

MR. [Thomas B.] Evans [Jr.] of Delaware: Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Evans of Delaware: Page 22, strike out all of lines 13 through 20 and renumber each succeeding paragraph accordingly. . . .

MR. [Clement J.] Zablocki [of Wisconsin]: Mr. Chairman, I offer a perfecting amendment.

The Clerk read as follows:

Perfecting amendment offered by Mr. Zablocki: Page 22, strike out lines 13 through 20 and insert:

"(2) It is the sense of Congress that funds made available under this chapter for countries in the Middle East are designed to promote progress toward a comprehensive peace settlement in the Middle East and that Syria and Jordan, to continue to receive funds under this chapter, should act in good faith to achieve further progress toward a comprehensive peace settlement and that the expenditure of the funds will serve the process of peace in the Middle East. . . .

THE CHAIRMAN:[17] The question is on the perfecting amendment offered by the gentleman from Wisconsin (Mr. Zablocki).

The perfecting amendment was agreed to.

THE CHAIRMAN: The amendment offered by the gentleman from Delaware (Mr. Evans) will not be voted upon, because it is in the nature of a motion to strike.

17. Elliott H. Levitas (Ga.).

Perfecting Amendments to Bill While Amendment in Nature of Substitute Pending

§ 24.16 Pending an amendment in the nature of a substitute for an entire bill, perfecting amendments to the pending portion of the bill may still be offered.

On July 28, 1983,[18] during consideration of a bill[19] to amend the Intelligence Authorization Act for fiscal year 1983, pursuant to a special rule[20] permitting the majority and minority leaders to offer amendments not printed in the Record but requiring all other Members to offer amendments to the bill which have been printed in the Record, the majority leader was permitted to offer an amendment in the nature of a substitute not printed in the Record, but another Member was permitted to offer a perfecting amendment printed in the Record to the bill while the substitute was pending. (Pursuant to a unanimous-consent agreement,[21] the bill was open to amendment at any point.) The proceedings were as follows:

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

18. 129 CONG. REC. 21468, 21469, 98th Cong. 1st Sess.
19. H.R. 2760.
20. H. Res. 261.
21. 129 CONG. REC. 21196, 98th Cong. 1st Sess., July 27, 1983.

amendment in the nature of a substitute.

The Clerk read as follows:

> Amendment in the nature of a substitute offered by Mr. Wright: Strike out all after the enacting clause and insert in lieu thereof the following:
>
> That the Intelligence Authorization Act for Fiscal Year 1983 is amended by adding at the end thereof the following new title: . . .

MR. [HENRY J.] HYDE [of Illinois]: I have an amendment that was printed in the Record. Will I be given an opportunity to offer it?

THE CHAIRMAN:[1] The Chair will advise the gentleman that a printed perfecting amendment to the bill can be offered before the vote on the Wright amendment in the nature of a substitute.

Parliamentarian's Note: In cases such as that above, the perfecting amendment to the pending portion of the bill is voted on first.

§ 25. Substitute Amendments; Amendments in Nature of Substitute

An amendment in the nature of a substitute is basically, in form, a motion to strike out and insert. But the term "amendment in the nature of a substitute" applies only to those motions which propose to strike out an entire pending bill, or, less precisely, to motions proposing to strike out an entire pending portion (section or title) of text and to insert new matter and is not used to describe those motions to strike out and insert which may be properly characterized as "perfecting amendments" and which go only to a portion of the pending text.

An amendment in the nature of a substitute for a bill may be proposed before perfecting amendments to the pending portion of the original text have been offered, but may not be voted on until after such perfecting amendments have been disposed of.[2]

Amendments to a committee amendment in the nature of a substitute are voted on before a substitute amendment, and the effect of the adoption of a substitute amendment striking out all after the title of the committee amendment is to eliminate the language inserted by the committee amendment as well as the language of the amendments thereto.[3]

1. William H. Natcher (Ky.).

2. See 107 CONG. REC. 8825–27, 87th Cong. 1st Sess., May 24, 1961, where a Member was recognized to offer an amendment in the nature of a substitute for a bill, and after it was read another Member was recognized to offer a perfecting amendment to the original text. The perfecting amendment was considered and voted on before the amendment in the nature of a substitute.

3. See § 25.3, infra.