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Chapter 37
Points of Order; Parliamentary Inquiries

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A. Points of Order

§ 1. In General; Form

Generally

A point of order is an objection that the pending matter or proceeding is in violation of a rule of the House. For a discussion of grounds for points

of order, see § 7, infra. Any Member, Delegate, or the Resident Commissioner may make a point of order. 6 Cannon § 240. There have been rare instances in which the Speaker has insisted that a point of order be reduced to writing. 5 Hinds § 6865. However, the customary practice is for the Member to rise and address the Chair as follows:

> MEMBER: Mr. Speaker (or Mr. Chairman), I make a point of order against the [amendment, section, paragraph].
> CHAIR: The Chair will hear the gentleman.

It is appropriate for the Chair to determine whether the point of order is being raised under a particular rule of the House. A Member should state a point of order explicitly, identifying the objectionable language. Deschler-Brown Ch 31 §§ 2.2, 2.3. On occasion, a Member has incorrectly demanded the ''regular order,'' rather than make a point of order to assert, for example, that remarks are not confined to the question under debate. In such a case, the Chair may treat the demand as a point of order and rule thereon. *Manual* § 628.

The proper method for opposing a point of order is to seek recognition for that purpose at the proper time, not by making a point of order against the point of order. Deschler-Brown Ch 31 § 7.3.

Effect

Where a point of order against the *consideration* of a bill is sustained, the bill is recommitted to the reporting committee or to its place on the appropriate calendar. See, *e.g.*, *Manual* § 841. However, if the defect were a technical error in the report, the measure could be returned to the calendar by the filing of a supplemental report pursuant to rule XIII clause 3(a)(2). *Manual* § 838; 7 Cannon § 869. If a bill is on the wrong calendar and the Chair sustains a point of order against it for that reason, the bill is placed on the appropriate calendar. 4 Hinds § 4382.

If, during the consideration of a bill, a Member raises a point of order against certain language in a pending measure and the Chair sustains the point of order, the language is automatically stricken from the measure. 7 Cannon § 2148.

Under the former practice it was necessary for a Member on the floor to reserve points of order against appropriation bills before resolving into the Committee of the Whole, but this practice was eliminated in 1995 when the House adopted rule XXI clause 1. Under clause 1, points of order on general appropriation bills are ''considered as reserved,'' which permits the Committee to remove language in a bill referred to it by the House that violates House rules. *Manual* § 1035.

A point of order against any part of an amendment, if sustained, is sufficient to invalidate the entire amendment. 5 Hinds § 5784. A point of order may be directed against an entire section or paragraph of a bill (depending on whether the bill is read by paragraph or by section). It also may be precisely aimed at a subpart thereof. However, the entire section or paragraph is vulnerable; and if a point of order is sustained against a portion of a pending provision, the entire provision may be ruled out of order unless prevented by a special order. 5 Hinds § 6883; Deschler-Brown Ch 31 §§ 1.24, 1.25. The stricken provision's headings and subheadings are likewise eliminated. 8 Cannon § 2353. Provisions ruled out on points of order in the Committee of the Whole are not reported to the House. 4 Hinds § 4906; 8 Cannon § 2428.

Multiple Points of Order

The Chair may entertain simultaneously more than one point of order against a paragraph. Deschler-Brown Ch 31 § 1.8. As a rule the Chair will decline to decide a point of order raised against a proposition until all other points of order on the same proposition have been submitted. 8 Cannon § 2310. Indeed, the Chair may in his discretion require all points of order against a pending proposition for alleged violation of a particular House rule to be stated at the same time. This procedure allows the Chair to rule separately on each point of order in such order as he determines, or to permit the Chair to sustain one valid point of order without reaching the others. Deschler-Brown Ch 31 § 4.18. Thus, where several points of order are made against an amendment and the Chair sustains one of them, he need not rule on the remaining points of order, as the amendment is no longer pending. Deschler-Brown Ch 31 § 1.12. Where the Chair entertains two points of order against a provision, he may sustain only one of them, even though both points of order are conceded by the manager of the bill. *Manual* § 628.

Cross References

Points of order based on particular rules or against particular propositions are addressed elsewhere in many other chapters in this work, such as AMENDMENTS; APPROPRIATIONS; CONSIDERATION AND DEBATE; and GERMANENESS OF AMENDMENTS.

§ 2. Role of the Chair

Generally

Under rule I clause 5, the Speaker decides ''all questions of order, subject to appeal by a Member, Delegate, or Resident Commissioner.'' *Manual*

§ 627. When a Speaker pro tempore occupies the Chair, he decides questions of order. When the House is in Committee of the Whole, the Chairman decides most questions of order independently of the Speaker. 5 Hinds §§ 6927, 6928. At the organization of a new Congress, before the election of a Speaker, questions of order are decided by the Clerk. Rule II clause 2(a); 1 Hinds § 64.

The Chair may examine the form of an offered amendment to determine its propriety and may rule it out of order even where no point of order is raised from the floor. Deschler-Brown Ch 31 § 6.11. Ordinarily, however, the Chair will rule out a proposition only when a point of order is raised and only when he is required under the circumstances to respond to the point of order. Deschler-Brown Ch 31 § 1.6. It is not the duty of the Speaker to decide any question that is not directly presented in the course of the proceedings of the House. 2 Hinds § 1314; see CONSIDERATION AND DEBATE. However, it is the duty of the Chair to initiate the call to order of a Member who engages in improper references to the actions of the Senate, its Members, or its committees, or to the President. *Manual* §§ 374, 961.

The Speaker may decline to rule on a point of order until he has had time for examination and study. 3 Hinds § 2725; 8 Cannon §§ 2174, 2396. In reaching a decision on a point of order, the Chair may hear argument. *Manual* § 628.

Only on rare occasions has the Speaker submitted a question to the House itself for a decision, preferring to rule subject to appeal by any Member under rule I clause 5. *Manual* § 628; 4 Hinds §§ 3282, 4930; 5 Hinds § 5323.

Where the House has adopted an order permitting only certain amendments to be offered to a bill during its consideration in Committee of the Whole, the Chair is guided by the explicit unambiguous language of the rule, rather than by the intention of the Committee on Rules, in ruling whether a specific amendment is in the permitted class. *Manual* § 628. The Member offering an amendment in the Committee of the Whole pursuant to a special order of the House has the burden of proving that it meets the description of the amendment made in order. The Chair has advised the Committee that an amendment made in order was described by subject matter rather than by prescribed text and that the pending amendment fit such description. *Manual* § 993.

The Chair may consider argument on the meaning of an amendment in resolving any ambiguity in the language of the amendment when ruling on a point of order against it. Deschler-Brown Ch 31 § 8.9.

Consideration of Prior Rulings; Reversals

A decision by the Speaker or Chairman is a precedent in resolving subsequent disputes where the same point of order is again in controversy. In looking to precedents to resolve a point of order, the House is applying a doctrine known in the courts as *stare decisis*, under which a judge looks to earlier cases involving the same question of law. In the same way, the House adheres to settled rulings and will not lightly disturb rationales that have been established by prior decision of the Chair. 2 Hinds § 1317; 6 Cannon § 248. However, although the Chair will normally not disregard a decision previously made on the same facts, such precedents may be examined, distinguished, and even overruled where shown to be erroneous. 4 Hinds § 4637; 8 Cannon §§ 2794, 3435. Indeed, the Chair may after further argument reverse his own ruling on a point of order, for example, where existing law not previously called to the Chair's attention would justify the opposite ruling. 8 Cannon § 3435; Deschler-Brown Ch 31 § 1.5. The authoritative sources for proper interpretations of the rules are statements made directly from the Chair and not comments made by the Speaker in other contexts. *Manual* § 628.

§ 3. Reserving Points of Order

Generally

With certain exceptions, a point of order against a proposition may be held untimely if it is not made until after debate on the proposition has begun. § 4, infra. It is therefore not an uncommon practice for a Member to reserve a point of order against an amendment and then, after debate on the amendment, either press or withdraw the point of order. 8 Cannon § 3430. Reserving points of order against amendments, see AMENDMENTS.

The reservation of a point of order against an amendment is permitted at the discretion of the Chair and does not require unanimous consent. Deschler-Brown Ch 31 § 3.16. A Member wishing to reserve a point of order must rise and address the Chair. The Member may not reserve a point of order merely through private agreement with the Member in charge of the bill. 5 Hinds § 6867. The reserving Member need not specify the basis of his reservation. Deschler-Brown Ch 31 § 3.8. However, merely reserving the ''right to object'' to engage in a colloquy before making a point of order does not constitute the reservation of a point of order. 92–2, Apr. 18, 1972, p 13114.

Effect of Withdrawal

The reservation of a point of order being withdrawn, another Member may immediately renew it or press a point of order. Deschler-Brown Ch 31 §§ 3.21–3.23. Withdrawal of points of order generally, see § 11, infra.

§ 4. Time to Raise Points of Order

Generally

Unless otherwise provided by the rules of the House, a point of order against a proposition should be made when the proposition is presented for consideration, not after such consideration has begun. 5 Hinds § 6888. This principle is applied to points of order against bills and resolutions as well as to points of order against various motions, such as the motion to recommit. A point of order against a motion to recommit a bill must be made after the motion is read and comes too late after there has been debate thereon. Deschler-Brown Ch 31 § 4.25. A point of order against a report involving the privileges of the House is properly raised after the report is read. Deschler-Brown Ch 31 § 4.5.

Under the rules of the House, certain points of order may be raised ''at any time.'' For example, a point of order may be raised ''at any time'' under rule XXI clause 4, which prohibits the inclusion of appropriations in a bill reported by a legislative committee. *Manual* § 1065. A point of order may likewise be raised ''at any time'' under rule XXI clause 5(a), which prohibits inclusion of a tax or tariff measure in a bill or joint resolution reported by a committee that does not have jurisdiction over such measure. *Manual* § 1066. Such a point of order may be directed against language in a bill or against an amendment containing such language. In the former case, the point of order should be raised during the reading for amendment under the five-minute rule. Deschler Ch 25 § 12.14. In the latter case, the point of order should be raised before disposition of the amendment. Deschler-Brown Ch 31 § 5.29.

Effect of Intervening Debate

A point of order against a proposition ordinarily will be ruled out as untimely if debate on the merits of the proposition already has begun. 5 Hinds §§ 6891–6901; 8 Cannon § 3440. However, the Chair will not permit brief debate to preclude a point of order by a Member who had diligently sought recognition for that purpose. 5 Hinds § 6906. The Chair may recognize for a point of order against language in a bill notwithstanding intervening debate where the Member raising the point of order was on his feet, seeking recognition, before debate began. Deschler-Brown Ch 31 § 6.39. In-

deed, a Member who is on his feet seeking recognition at the proper time to make a point of order may be recognized by the Chair, even though the Clerk has read past the language to which the point of order applies. Deschler-Brown Ch 29 § 20.33. However, the mere fact that a Member was on his feet does not entitle him to make a point of order where he has not affirmatively sought recognition at the time the relevant language was read for amendment. Deschler-Brown Ch 31 § 5.25.

Effect of Intervening Amendments

A point of order against a proposition ordinarily is untimely if raised after an amendment to the proposition has been offered. 5 Hinds §§ 6907–6911; 8 Cannon § 3443. The point of order may be precluded even by a pro forma amendment. 8 Cannon § 3445.

Points of order against a bill or portion thereof are considered by the Chair before the Chair recognizes Members to offer amendments. Deschler-Brown Ch 31 § 5.1. If a bill is considered read and open to amendment at any point by unanimous consent, points of order should be stated before *any* amendments are offered. Deschler-Brown Ch 31 § 5.5.

Although the reservation of a point of order by one Member inures to all Members who may then make the point of order when recognized by the Chair, withdrawal of a reservation by one Member requires other Members to either make or continue to reserve the point of order at that point, and a further reservation comes too late after there has been subsequent debate. Deschler-Brown Ch 31 § 3.24.

§ 5. — Against Bills and Resolutions

Where a point of order against a measure would, if sustained, prevent its consideration, the appropriate time to make the point of order is when the measure is called up in the House or pending the motion or declaration to resolve into the Committee of the Whole, whichever procedure represents initial consideration of the measure. 8 Cannon § 2252. A Member may not insist on a point of order against the consideration of a bill where the manager of the bill withdraws the motion that the House resolve itself into the Committee of the Whole for consideration of the bill. The point of order must be made anew if and when the motion is again made to resolve into Committee for consideration of that bill. Deschler-Brown Ch 31 § 4.6.

Although uncommon, a point of order challenging, for example, the privileged status of a resolution may be raised when the resolution is called up and before it is read. Deschler-Brown Ch 31 § 4.1. A point of order relating to the manner in which a resolution should be considered should be made before such consideration begins. 5 Hinds § 6890. A point of order

that the text of a privileged resolution does not reflect the action of the reporting committee comes too late after there has been debate on the resolution. Deschler-Brown Ch 31 § 4.4.

§ 6. — Against Amendments

A point of order is properly made or reserved immediately after the reading of an amendment or following agreement to a unanimous-consent request that an amendment be considered as read. Deschler-Brown Ch 31 § 6.5. It should be disposed of before amendments to that amendment are offered. Deschler-Brown Ch 31 § 6.14. Once the amendment is agreed to in the Committee of the Whole and reported to the House, it is too late to raise a point of order against it, the proper time having been at the point the amendment was offered in Committee. 92–2, June 1, 1972, pp 19479, 19481, 19483. Generally, see AMENDMENTS.

§ 7. Application to Particular Questions; Grounds

A point of order ordinarily must be based on an objection that the pending matter or proceeding is in violation of some rule of the House. The Chair will ascertain and identify the particular rule being invoked when ruling on a point of order. 98–2, Oct. 2, 1984, p 28522.

Although questions of order arising under the rules are determined by the Chair, the Chair does not:

- Recognize for requests to suspend the rule governing admissions to the floor. Rule IV clause 1; 5 Hinds § 7285.
- Rule on the sufficiency of committee reports or legal effect of language therein. Deschler Ch 19 § 7.17.
- Rule on questions of constitutionality, including the constitutional powers of the House. *Manual* § 628; 2 Hinds §§ 1255, 1318–1320; 8 Cannon §§ 2225, 3031, 3071, 3427; Deschler Ch 19 §§ 7.1–7.3, 8.10.
- Pass on the merits of a legislative proposition. Deschler Ch 19 § 7.4.
- Rule on the consistency of amendments or other proposed actions of the House. 2 Hinds §§ 1327–1336; 8 Cannon §§ 3237, 3458; Deschler Ch 19 §§ 7.5, 8.6–8.9.
- Construe the legislative or legal effect of a proposition. *Manual* § 628; 8 Cannon §§ 2280, 2841; Deschler Ch 19 § 7.16.
- Construe the general meaning or effect of an amendment or rule on whether it is ambiguous. Deschler Ch 19 §§ 8.1–8.5.
- Rule on hypothetical questions. 6 Cannon §§ 249, 253; Deschler Ch 19 §§ 7.6–7.8.
- Rule on the propriety or expediency of a proposed course of action. 2 Hinds §§ 1275, 1337.
- Consider contingencies that may arise in the future. 7 Cannon § 1409.

- Interpret a special order before it is adopted by the House. *Manual* § 628.
- Determine issues not presented in a point of order. Deschler Ch 19 § 6.1.
- Construe the result of a vote. Deschler Ch 6 § 4.28.
- Interpret the rules or procedures of the Senate. Deschler Ch 19 § 7.19.

The Speaker, and not the Chairman of the Committee of the Whole, rules on the propriety of amendments included in a motion to recommit with instructions. Deschler-Brown Ch 31 § 1.46

§ 8. Relation to Other Business

When a point of order is raised against a proposition, consideration of that proposition is precluded until the point of order is disposed of. The Chair should rule on the point of order before proceeding to other questions, such as the method of voting on the pending matter. 8 Cannon § 3432.

A timely point of order takes precedence over a parliamentary inquiry, and the deferral of a parliamentary inquiry gives no priority for that purpose, since recognition is in the discretion of the Chair. Deschler-Brown Ch 31 § 11.4.

An amendment may not be offered to a proposition against which a point of order is pending. 8 Cannon § 2824. The previous question may not be demanded on a proposition until the point of order is resolved. 8 Cannon §§ 2681, 3433. Debate on the merits of the proposition is likewise precluded. 5 Hinds § 5055; 8 Cannon § 2556.

§ 9. Debate on Points of Order; Burden of Proof

In General; Recognition

Recognition for debate on a point of order is extended at the discretion of the Chair. 8 Cannon §§ 3446–3448. Members seeking to be heard must address the Chair separately and may not engage in ''colloquies'' on the point of order. Deschler-Brown Ch 31 § 7.17. The time allowed for debate on a point of order is likewise within the discretion of the Chair. A Member speaking on a point of order does not control a fixed amount of time that he can reserve or yield. 5 Hinds § 6919. Where a point of order is conceded by the manager of the bill, the Chair may sustain the point of order without debate. Deschler-Brown Ch 31 § 7.20.

Scope of Debate

The rule that debate on questions of order must be relevant is strictly construed. 8 Cannon § 3449. Debate is limited to the question of order and may not go to the merits of the proposition being considered. *Manual* § 628.

The Chair will not entertain unanimous-consent requests to permit Members to revise and extend their remarks on points of order. Deschler-Brown Ch 31 § 7.21. However, by unanimous consent, a Member may be allowed to revise and extend his remarks *to follow* the ruling on the point of order. *Manual* § 628.

Burden of Proof

The proponents of an amendment have the burden of proof where a point of order is raised against the amendment on the grounds that it is not germane or that it proposes an unauthorized appropriation. 7 Cannon § 1179; 8 Cannon § 2995. Under House practice, those defending an item in an appropriation bill have the burden of showing the law authorizing it. 4 Hinds § 3597; 7 Cannon §§ 1179, 1276; 8 Cannon § 2387. Thus, a point of order having been raised, the burden of proving the authorization for language carried in an appropriation bill falls on the managers of the bill as proponents of the language. Deschler Ch 26 § 9.4. Similarly, the proponent of an amendment carries the burden of proving that the amendment does not increase levels of budget authority or outlays within the meaning of clause 2(f) of rule XXI. 107–1, Oct. 11, 2001, p ____.

Where a point of order is raised against consideration of a bill on the ground that the report thereon does not adequately reflect all changes in existing law as required by rule XIII clause 3(e)—the Ramseyer rule—the proponent of the point of order has the burden of proof and must cite the specific statute that will be affected by the pending bill; in the absence of such citation the point will not be entertained. 8 Cannon § 2246.

§ 10. Waiver of Points of Order

Generally

A point of order is effectively waived when it is not timely raised. Where a motion that might have been subject to objection is, in the absence of a point of order, agreed to, it represents the will of the House and governs its procedure until the House orders otherwise. Deschler Ch 11 § 3.2. Points of order may be waived by unanimous consent, by special rule, or by consideration of a measure under suspension of the rules. Deschler-Brown Ch 31 § 9.

By Special Rule

Special ''rules'' or resolutions from the Committee on Rules providing for the consideration of a bill often contain provisions expressly waiving points of order against the bill or certain language therein or amendments to be offered thereto. 7 Cannon § 769. A resolution waiving points of order

against a certain provision in a bill has been agreed to by the House, even after general debate on the bill has concluded and reading for amendment has begun. Deschler Ch 21 § 23.29. Such waivers are not implied merely by the fact that the special rule provides for consideration of the bill. 98–1, Mar. 22, 1983, p 6502.

A special rule may limit its waiver to a single point of order against consideration of a measure or against its provisions, or it may be so drafted as to constitute a blanket waiver of all points of order. Where a resolution providing for the consideration of a bill specifies that ''all points of order against said bill are hereby waived,'' the waiver is applicable only to the provisions of the bill and not to amendments. Deschler-Brown Ch 31 § 9.10. A special order providing for consideration of a measure may waive all points of order against provisions of the bill except specified text. Such a special order may include language to prevent a point of order against the vulnerable text from being applied to the remainder of a paragraph or section. See, *e.g.*, 107–1, H. Res. 192, July 17, 2001, p ____.

A special rule containing a waiver of section 425 of the Congressional Budget Act (unfunded intergovernmental mandates) is subject to a point of order under section 426 of that Act.

For further discussion, see SPECIAL ORDERS OF BUSINESS. See also CONSIDERATION AND DEBATE.

§ 11. Withdrawal of Points of Order

A point of order may be withdrawn at any time before the Chair rules. 8 Cannon § 3430. Once withdrawn, the point of order may immediately be renewed by another Member. 5 Hinds §§ 6875, 6906; 8 Cannon §§ 3429, 3430. As a rule, a point of order must be pressed, or further reserved, when the Chair inquires whether the objecting Member wishes to insist upon it, and comes too late after that Member has stated that he does not insist on, or continue to reserve, his point of order, and further debate has intervened. Deschler-Brown Ch 31 § 3.14.

§ 12. Appeals

Under rule I clause 5, a ruling of the Chair on a point of order may be subject to challenge through an appeal by a Member. *Manual* §§ 627, 629; 5 Hinds §§ 6938, 6939. An appeal also may be taken from the ruling of the Chairman of the Committee of the Whole on a point of order. Deschler-Brown Ch 31 § 13.3. However, a decision on a question of order is not subject to an appeal if the decision falls within the discretionary authority

of the Chair. For a complete discussion of appeals from rulings of the Chair, see APPEALS.

B. Parliamentary Inquiries

§ 13. In General

Recognition of Members for the purpose of propounding parliamentary inquiries is within the discretion of the Chair. 6 Cannon § 541. Inquiries concerning the parliamentary situation on the floor are properly directed to the Chair, and it is not in order for a Member to address them to the official reporters. Deschler-Brown Ch 31 § 14.14. The Chair may delay his response to a parliamentary inquiry pending examination of relevant House precedents. 8 Cannon § 2174. Responses to parliamentary inquiries are not subject to appeal. 5 Hinds § 6955; 8 Cannon § 3457. The Chair may take a parliamentary inquiry under advisement, especially when the inquiry does not relate to the pending proceedings of the House. *Manual* § 628; 8 Cannon § 2174.

The Chair may clarify a prior response to a parliamentary inquiry. *Manual* § 628.

§ 14. Subjects of Inquiry

Proper Subjects of Inquiry

The Chair responds to parliamentary inquiries relating in a practical sense to the pending proceedings, such as inquiries relating to the application of the rules and precedents to a pending or otherwise pertinent situation. The Chair has entertained parliamentary inquiries concerning the following:

- The anticipated order of business. Deschler-Brown Ch 31 § 14.7.
- The status of the Clerk's progress in reading a document. Deschler-Brown Ch 31 § 14.12.
- The Speaker's authority as presiding officer. Deschler-Brown Ch 29 § 2.1.

Improper Subjects of Inquiry

The Chair may decline to entertain an inquiry on a subject not relevant to the pending question. Under this principle, the Chair has declined to respond to hypothetical questions, to questions not yet presented, and to requests to place pending proceedings in a historical context. *Manual* § 628. The Chair has declined, for example, to anticipate whether language in a measure would trigger certain executive actions or to allocate debate time on a conference report not yet filed. Similarly, the Chair has declined to

anticipate the precedential effect of a ruling or to respond to rhetorical or political characterizations of pending business.

A proper parliamentary inquiry relates to an interpretation of a House rule, not to an interpretation of a statute or of the Constitution. *Manual* § 628. A Member may not, under the guise of a parliamentary inquiry, offer a motion or other proposition. He must have the floor in his own right for that purpose. 8 Cannon § 2625.

In response to a parliamentary inquiry, the Chair has declined to:

- Judge the propriety of words spoken in debate pending a demand that those words be ''taken down'' as unparliamentary or judge the veracity of remarks in debate, or the propriety of words uttered earlier in debate.
- Reexamine and explain the validity of a prior ruling.
- Judge the accuracy of the content of an exhibit.
- Indicate which side of the aisle has failed under the Speaker's guidelines to clear a unanimous-consent request.
- Judge the construction or meaning of an amendment, which is a matter for the House, and not the Chair, to determine.
- Characterize an amendment on which a separate vote has been demanded.

Manual § 628.

As to Orders of the House

The Chair ordinarily will not interpret a pending special order of business prior to its adoption or render other advisory opinions. For example, the Chair refused to respond to a parliamentary inquiry as to whether a resolution, reported from the Committee on Rules but not yet called up for consideration, would have the effect of violating the rights of Members. Questions concerning informal guidelines of the Committee on Rules for advance submission of amendments for possible inclusion under a special rule may not be raised under the guise of a parliamentary inquiry. *Manual* § 628.

§ 15. Timeliness of Inquiry

Generally

The Chair may decline to respond to a parliamentary inquiry that is untimely. The Chair does not respond to a parliamentary inquiry concerning the propriety of a proposition until the proposition is offered. Deschler-Brown Ch 31 § 15.11.

Inquiries Raised During Votes

During a vote, the Chair may refuse to entertain a parliamentary inquiry that is not related to the vote, although he may entertain an inquiry relating to the conduct of the call. *Manual* § 628; Deschler-Brown Ch 31 §§ 15.14,

15.15. A parliamentary inquiry may not interrupt a division. However, such inquiries are entertained until the Chair asks those in favor of the proposition to rise. Deschler-Brown Ch 31 §§ 15.19, 15.20. Similarly, the Speaker may entertain a parliamentary inquiry after the yeas and nays are ordered, but before the vote. Deschler-Brown Ch 31 § 15.18.

The Chair may decline to entertain a parliamentary inquiry as to the cost of conducting the pending vote on the ground that the inquiry is not relevant to the pending question. 103–1, June 10, 1993, p 12482.

§ 16. As Related to Other Business

A parliamentary inquiry may interrupt matters of high privilege, such as an impeachment proceeding. 6 Cannon § 541. However, during the reading of a bill for amendment, a Member is not entitled to a parliamentary inquiry that would interrupt the reading of a paragraph or section of the bill. 8 Cannon § 2873.

The reading of the Journal may be interrupted by a parliamentary inquiry. 6 Cannon § 624. Furthermore, the Speaker may entertain a parliamentary inquiry relating to the order of business before the approval of the Journal. Deschler-Brown Ch 31 § 15.9.

During Debate

A Member may not be taken from the floor by a parliamentary inquiry. The Member controlling debate must yield for that purpose. The Chair exercises his discretion in recognition for a parliamentary inquiry only when no other Member is occupying the floor for debate. *Manual* § 628; Deschler-Brown Ch 31 §§ 15.1, 15.2.

Time consumed by a parliamentary inquiry is charged to the Member controlling time who yields for that purpose. When the Chair recognizes a Member for a parliamentary inquiry when no other Member has the floor, the Member controlling debate is not charged for the time so consumed. Deschler-Brown Ch 31 § 15.4.