

involving a question of personal privilege certain newspaper articles which were submitted to the Speaker's desk. Thereupon, the Speaker⁽¹⁹⁾ stated as follows:

THE SPEAKER: The Chair has looked over these papers and headlines, as well as the body of the articles. One headline states "Documents show May had financial stake in Garsson's empire."

The article further states:

Documentary evidence that Representative May, Democrat, of Kentucky, chairman of the House Military Committee, had a financial interest in the Illinois munitions empire he is said to have promoted at the War Department and his vehement denial featured explosive development yesterday before the Senate War Investigation Committee.

The Chair thinks that these entitle the gentleman to the question of personal privilege in his Representative capacity, therefore, it recognizes the gentleman from Kentucky [Mr. May].

Ethnic Slur

§ 28.4 On one occasion, a Member took the floor for a one-minute speech to respond to a newspaper article which included a reference to him as "one of the few Italian American undesirables in Congress."

19. Sam Rayburn (Tex.).

This precedent was occasioned by certain House proceedings on Nov. 22, 1967.⁽²⁰⁾

§ 29. Published Charges of Illegality

Unspecified Illegal Acts

§ 29.1 A newspaper article charging that a Member did something illegal in his representative capacity gave rise to a question of personal privilege.

On Jan. 18, 1954,⁽¹⁾ the Chair recognized Mr. Clare E. Hoffman, of Michigan:

MR. HOFFMAN of Michigan: Mr. Speaker, I rise to a question of personal privilege. I have previously submitted the question to the Speaker.

THE SPEAKER:⁽²⁾ The Chair may say that the gentleman from Michigan [Mr. Hoffman] has very kindly given him the opportunity of looking over the question of personal privilege. In one instance it is stated that the gentleman did something illegal in his representative capacity, so therefore the gentleman qualifies to present his question of personal privilege.

20. 113 CONG. REC. 33693, 90th Cong. 1st Sess. See §22.4, supra, for a detailed discussion of this precedent.

1. 100 CONG. REC. 388, 83d Cong. 2d Sess.
2. Joseph W. Martin, Jr. (Mass.).

*Forgery***§ 29.2 A statement in a newspaper accusing a Member of forgery constituted sufficient grounds for raising a question of personal privilege.**

On June 8, 1950,⁽³⁾ Mr. Clare E. Hoffman, of Michigan, offered as a question of personal privilege a statement appearing in a newspaper alleging that the Member had "stooped to using outright forgery in a strikebreaking attempt." In his ruling granting recognition, the Speaker⁽⁴⁾ stated that sufficient grounds to constitute a question of personal privilege had been stated.

*Receipt of Illegal Fees***§ 29.3 A newspaper article charging that a Member of the House received an illegal fee in a matter connected with his work as a Member was held to give rise to a question of personal privilege.**

On June 15, 1950,⁽⁵⁾ Mr. John S. Wood, of Georgia, rose to a question of privilege to call atten-

3. 96 CONG. REC. 8331, 81st Cong. 2d Sess.

4. Sam Rayburn (Tex.).

5. 96 CONG. REC. 8653, 81st Cong. 2d Sess.

tion to a newspaper article charging that he had received an illegal fee in a matter connected with his work as a Member. After examining the article, the Speaker⁽⁶⁾ recognized Mr. Wood to proceed on a question of personal privilege.

*Tax Irregularities***§ 29.4 A newspaper article charging a Member with involvement in a tax scandal gave rise to a question of personal privilege.**

On Feb. 4, 1954,⁽⁷⁾ Mr. Emanuel Celler, of New York, sought the floor on a question of personal privilege, and read to the Chair headlines from several newspaper articles charging him (Mr. Celler) with involvement in a tax scandal. After the presentation of the objectionable articles to the Chair, the Speaker pro tempore⁽⁸⁾ stated:

The Chair has examined the headlines and the newspaper articles and believes the gentleman has stated a question of personal privilege. The gentleman is recognized.

*Criminal Conspiracy, Perjury, and Tax Evasion***§ 29.5 Newspaper accounts of a grand jury indictment of a**

6. Sam Rayburn (Tex.).

7. 100 CONG. REC. 1353, 1354, 83d Cong. 2d Sess.

8. Charles A. Halleck (Ind.).

Member for alleged criminal conspiracy, perjury, and tax evasion gave rise to a question of personal privilege.

On Apr. 19, 1972,⁽⁹⁾ Mr. Cornelius E. Gallagher, of New Jersey, rising to a question of personal privilege, stated that he wished to answer charges stemming from published accounts of a grand jury indictment brought against him for alleged criminal conspiracy, perjury, and tax evasion. At the conclusion of his statement, the Speaker⁽¹⁰⁾ granted Mr. Gallagher recognition for one hour on a question of personal privilege.

Sedition

§ 29.6 Any pamphlet, newspaper, or document which accuses a Member of being seditious presents a question of personal privilege.

On Mar. 26, 1946,⁽¹¹⁾ Mr. Clare E. Hoffman, of Michigan, rose to a

- 9. 118 CONG. REC. 13491-97, 92d Cong. 2d Sess.
- 10. Carl Albert (Okla.).
- 11. 92 CONG. REC. 2624, 79th Cong. 2d Sess. For additional illustrations involving accusations of sedition, see 91 CONG. REC. 12456, 79th Cong. 1st Sess., Dec. 20, 1945; 90 CONG. REC. 2908, 78th Cong. 2d Sess., Mar. 22, 1944; 90 CONG. REC. 2519, 78th Cong. 2d Sess., Mar. 13, 1944; and

question of personal privilege and presented a publication in which he was accused of sedition. In ruling on the question, the Speaker⁽¹²⁾ said:

THE SPEAKER: . . . [T]he Chair states that any pamphlet or newspaper or document that accuses the gentleman from Michigan [Mr. Hoffman] of being seditious certainly presents a question of personal privilege.

The gentleman is recognized.

§ 30. Published Charges Involving Legislative Conduct

Misuse of Public Funds

§ 30.1 A newspaper article to the effect that certain union delegates "left for home determined to raise hell about the misuse of government funds" by a Member gave rise to a question of personal privilege.

On Feb. 22, 1945,⁽¹³⁾ Mr. Clare E. Hoffman, of Michigan, on a question of personal privilege, called the attention of the House to a newspaper article which stated that certain union delegates

- 90 CONG. REC. 816, 78th Cong. 2d Sess., Jan. 27, 1944.
- 12. Sam Rayburn (Tex.).
- 13. 91 CONG. REC. 1368, 79th Cong. 1st Sess.