

MR. MOTT: A point of order, Mr. Chairman.

THE CHAIRMAN: The gentleman will state it.

MR. MOTT: As I understand, Mr. Chairman, the proceeding just had takes the gentleman off the floor, and he may proceed only by unanimous consent.

THE CHAIRMAN: The Chair may state that, by unanimous consent, the House permitted the gentleman to withdraw his words. That leaves the gentleman in the position he was before the words were uttered.

The gentleman from California will proceed.

MR. MOTT: Mr. Chairman, a further parliamentary inquiry.

THE CHAIRMAN: Does the gentleman yield for a parliamentary inquiry?

MR. GEYER of California: I do not care to yield for another one, Mr. Chairman.

MR. MOTT: A point of order, Mr. Chairman.

THE CHAIRMAN: The gentleman will state it.

MR. MOTT: Mr. Chairman, I make a point of order that the time of the gentleman has expired.

THE CHAIRMAN: The time of the gentleman has not expired. The point of order is overruled.

§ 18. Reading Papers

Rule XXX⁽¹¹⁾ provides that the question of whether a paper may

11. *House Rules and Manual* §915 (1979); see Jefferson's Manual,

be read is to be determined by a vote of the House. Nonetheless, when an objection to the reading of a paper is raised in the Committee of the Whole, the Committee need not rise; the issue is put to⁽¹²⁾ and voted on⁽¹³⁾ by the Committee, without debate.

Putting Question to Committee of the Whole

§ 18.1 Where objection is made in the Committee of the Whole to the reading of a paper, the question may be raised by motion and put to the Committee by the Chairman.

On Mar. 24, 1948,⁽¹⁴⁾ during consideration of S. 2202, the Foreign Assistance Act of 1948, Chairman Francis H. Case, of South Dakota, after objection was made, put to the Committee of the Whole a question regarding the reading of a letter.

MR. [VITO] MARCANTONIO [of New York] (interrupting the reading of the

House Rules and Manual §§432–436, for parliamentary law relating to reading papers. See also Ch. 29 §§80–84, *infra*.

12. § 18.1, *infra*.

13. § 18.2, *infra*.

14. 94 CONG. REC. 3436, 80th Cong. 2d Sess.

letter): Mr. Chairman, will the gentleman yield?

MR. [JOHN M.] VORYS [of Ohio]: No.

MR. MARCANTONIO: Mr. Chairman, a point of order.

THE CHAIRMAN: The gentleman will state it.

MR. MARCANTONIO: Mr. Chairman, in connection with my point of order, I just want to propound a parliamentary inquiry.

MR. VORYS: I object to his propounding a parliamentary inquiry, Mr. Chairman.

MR. MARCANTONIO: Then I make a point of order, Mr. Chairman.

THE CHAIRMAN: The gentleman will state it.

MR. MARCANTONIO: The point of order is that the gentleman cannot read anybody else's material without the consent of the Committee. I asked the gentleman to yield to me, and he would not yield.

THE CHAIRMAN: The Chair will present that question to the Committee. The question is, Shall the gentleman be permitted to proceed with the reading of the letter?

The question was taken, and the Chair announced that the motion was agreed to.

§ 18.2 If objection is made in the Committee of the Whole to the reading of a letter by another Member, the question is determined by vote of the Committee without debate.

On June 26, 1952,⁽¹⁵⁾ during consideration of H.R. 8120, the

15. 98 CONG. REC. 8175, 8176, 82d Cong. 2nd Sess.

Defense Production Act Amendments of 1952, the Committee of the Whole by vote and without debate permitted a Member to read a letter by a Governor after objection to that reading was raised.

MR. [CLINTON D.] MCKINNON [of California]: Mr. Chairman, I move to strike out the last word.

Mr. Chairman, yesterday the committee adopted, tentatively at least, the Cole amendment which provided for individual ceilings on price control. This amendment has a lot of things in it that I am sure the Members are not familiar with or I am sure they would not have adopted the amendment. In view of that, the chairman of the committee requested Governor Arnall, for whom I am sure the House has a high regard, to comment on what that would mean in regard to enforcement of price ceilings, and I should like to read what Governor Arnall has to say about it. He said this:

It is my considered judgment that an amendment of this kind

MR. [JESSE P.] WOLCOTT [of Michigan]: Mr. Chairman, a point of order.

THE CHAIRMAN:⁽¹⁶⁾ The gentleman will state it.

MR. WOLCOTT: I have not gone into this too thoroughly, but I make the point of order, Mr. Chairman, that it is against the rules of the House, which control the rules of the committee, to read letters from other than Members of Congress. We have been propagandized enough on this bill already.

THE CHAIRMAN: If the gentleman from Michigan objects to the reading of

16. Wilbur D. Mills (Ark.).

the letter, the question will then be put to the members of the Committee of the Whole for a decision. Does the gentleman object to the further reading of the letter?

MR. WOLCOTT: Yes; at this time I do object, Mr. Chairman.

THE CHAIRMAN: The question is, Shall the gentleman from California be permitted to proceed with the reading of the letter?

The question was taken; and on a division (demanded by Mr. Wolcott) there were—ayes 103, noes 102.

MR. WOLCOTT: Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Wolcott and Mr. Bolling.

The Committee again divided; and the tellers reported there were—ayes 141, noes 113.

So Mr. McKinnon was permitted to proceed with the reading of the letter

Time to Read

§ 18.3 A decision of the Committee of the Whole to permit a Member to read a paper means that the Member may read it within the five minutes allotted to him, and does not necessarily permit him to read the entire paper.

On June 26, 1952,⁽¹⁷⁾ during consideration of H.R. 8210, the Defense Production Act Amendments of 1952, Chairman Wilbur

17. 98 CONG. REC. 8175, 8176, 82d Cong. 2d Sess.

D. Mills, of Arkansas, stated that a decision of the Committee of the Whole to permit a Member to read a letter enables the Member to use only the allotted time to read.

THE CHAIRMAN: The gentleman from California is recognized [to read a letter].

MR. [CLINTON D.] MCKINNON: Mr. Chairman, I want to thank the membership. I am sure there are many Members who are very desirous of getting all the information they can.

MR. [BRENT] SPENCE [of Kentucky]: Mr. Chairman, will the gentleman yield?

MR. MCKINNON: I yield to the gentleman from Kentucky.

MR. SPENCE: I suggest the gentleman read the entire letter.

MR. MCKINNON: The letter reads as follows:

It is my considered judgment that an amendment of this kind, if adopted, would throw a costly monkey-wrench into the food price-control machinery. It would come close to making it completely unworkable. Its effects can be simply stated: . . .

I am confident that if Congress is informed of the consequences of this high-food price, red-tape amendment, it will be overwhelmingly defeated. This is no time to raise the prices of food to housewives or to make the small-business man go through mountains of red tape just to satisfy a few food organizations.

I hope that you will call these considerations to the attention of the House if the individual mark-up amendment is offered on the floor.

Sincerely yours,

ELLIS ARNALL.

THE CHAIRMAN: The gentleman has consumed 5 minutes. . . .

MR. [HERMAN P.] EBERHARTER [of Pennsylvania]: Mr. Chairman, a point of order.

THE CHAIRMAN: The gentleman will state it.

MR. EBERHARTER: Mr. Chairman, the House decided by a teller vote to permit the reading of this letter. I submit that the letter should be read in its entirety; that is the point of order I make.

THE CHAIRMAN: That is not the decision made by the Committee. The Committee made the decision that the gentleman could read the letter within the time allotted to the gentleman of 5 minutes.

MR. EBERHARTER: I did not hear it so stated when the motion was put, Mr. Chairman.

THE CHAIRMAN: The question put to the Committee had nothing whatsoever to do with the time to be consumed by the gentleman from California. The Chair recognized the gentleman from California for 5 minutes; the question arose as to whether or not he could within that 5 minutes time read extraneous papers.

The point of order is overruled.-

E. POINTS OF ORDER

§ 19. Generally

Questions of order relating to procedure (as distinguished from cases of disorder or contempt) arising in the Committee of the Whole are decided by the Chairman, not the Speaker.⁽¹⁸⁾ However, on an occasion when the Chairman of the Committee of the Whole had taken an active part in the discussion of a point of order,

18. 5 Hinds' Precedents §§ 6927, 6928.

See § 6, *supra*, for precedents relating to rulings of the Chairman generally. See Ch. 31, *infra*, for precedents relating to points of order generally. See 4 Hinds' Precedents §§ 4783, 4784, 5 Hinds' Precedents §§ 6921-6937, 6987, and 8 Cannon's Precedents § 3450, for pre-1936 precedents.

the question was by unanimous consent passed over to be later raised in the House.⁽¹⁹⁾

Scope of Ruling

§ 19.1 The Chair does not rule on points not presented in a point of order.

On June 27, 1949,⁽²⁰⁾ during consideration of H.R. 4009, the Housing Act of 1949, and after overruling a point of order that particular provisions exceeded the jurisdiction of the Committee on Banking and Currency because they constituted appropriations,

19. 7 Cannon's Precedents § 1527.

20. 95 CONG. REC. 8536-38, 81st Cong. 1st Sess.